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Proceedings

of the Constitutional Convention of the People of the State of Arkansas, convened at the Capitol

July 14th 1874.

Volume 2.

In the affirmative 8
In the Negative 65
Not voting 18
91

So the motion to strike out was not agreed to.

Mr Eakin of Hempstead moved to insert the words "after conviction thereof" after the word "shall" in Sect 2 line 2

Mr Gibson of Arkansas, called for the previous question. Which call was sustained. And the previous question ordered

The "ayes and noes" were ordered.
The Secretary called the roll and the following named members voted in the affirmative
Barnes. Cypert of White. Copeland.
Downs. Dowell. Eakin Flanagin.
Frierson. Fishback. Hawkins. Jones.
Killgore Murphy. Miller. Rector
Smith of Saline. Thomason of Washington.
Thompson. & Williams of Sevier.

Those voting in the negative were -
Anderson of Lee. Anderson of Craighead. Bunch
Butler of Independence. Butler of Pulaski Bailey

Burnm. Blackwell. Brown. Bales Bowen
Cypert of Baxter. Cunningham. Crowley.
Custer. Carroll. Cable. Carter Cagle
Ephirm. Dermaway. Eagle Gibson Garland
Gulley Goodwin Hampton. Horno. Hughes. Hanna
Howell. Kelly. Leiper Lucas Lindsey
Lake. Mosley. Mansfield. Nixon
Patterson. Pumkey. Perkins. Parrott. Pullam
Rogers. Ross. Rutherford. Reinhardt.
Stanley. Scott. Smith of Lafayette. Sorels
Thomason of Crawford. Williams of Jefferson.
Williams of Sharp. Walker. Nutt & McCreedust

In the affirmative 19
In the negative 58
Not voting 14
91

So the amendment was not agreed to

Mr Barnes of Pulaski moved to amend by adding to the section the words "for the period of Ten years"

Upon which the previous question was ordered. The question was taken and the amendment was agreed to,

Mr Thomason of Crawford moved to insert the word "Surgeon" after word "or" in the first line. Which was not agreed to.

The section was then under the operation of the previous question adopted as amended.

Mr Anderson of Lee offered the following as a substitute for Sec. 9. "All offices that may hereafter be created by the General Assembly shall be filled by election under such regulations as may be prescribed by Law -

Which under the operations of the previous question was rejected.

Mr. Smith, of Lafayette moved to amend as follows -
"Whenever the General Assembly shall create an office provided for by this Constitution, the same shall be filled by a vote of the people unless herein expressly excepted.

Pending the discussion of the amendment offered by Mr Smith, of Saline, the Convention adjourned until to-morrow morning at 8 o'clock.

Grandison D Royston
President Con Convention

Thomas M. Newton
Secretary

Tuesday
8 o'clock a m
September 1st 1874.

The Convention met pursuant to adjournment

The roll was called and the following named members answered to their names.
Anderson, of Lee. Anderson, of Craighead. Branch
Butler, of Independence. Bailey. Brown.
Bates. Bowen. Bryant, of Baxter. Bryant, of White
Cunningham. Crowley. Custer. Carroll. Cable
Carter. Cagle. Chism. Downs. Eakin. Eagle
Flanagin. Frierson. Garland. Gulley. Goodwin
Hinds. Hawkins. Hanna. Howell. Kellogg. Kelly.
Lucas. Lester. Lindsey Lake. Mosley. Murphy
Miller. Niven. Patterson. Parrott. Pulliam
Rogers. Ross. Rutherford. Stanley Sorrels.
Thomason, of Crawford. Thomason, of Washington
Thompson. Williams, of Jefferson. Williams
of Sharp. Williams, of Cannon Walker
Scott & Mr President.

Those members failing to answer to their -

names were –
Butler, of Pulaski. Bunn. Barnes. Blackwell.
Copeland. Dunaway. Doswell. Fishback Gibson
Hampton. Horton. Jones. Joyner. Leiper
Mansfield. O'Sullivan. Pantney. Perkins. Rector
Reinhardt- Scott. Smith, of Lafayette. Smith
of Saline. Williams, of Little River.

A quorum present.

Prayer by the Chaplain.

Messrs Leiper Blackwell. Perkins. Pantney
Bunn. Smith of Saline. Dunaway
Scott Rector. Mansfield. Reinhardt-
Doswell. Butler of Pulaski. Barnes & Gibson
appeared in their seats and answered to their names.

The journal of the preceding day was read and approved

Mr Witt, of Van Buren under a suspension of the rules introduced the following resolution

Appropriation

Whereas at the last session of the Legislature an act was passed entitled "An act authorizing the issuance of Bonds for the payment of the expenses of the Militia and present General Assembly and the appropriation and disbursement of the same" approved 29 May 1874, and –
Whereas the Military Board appointed under said act approved a great many claims amounting in the aggregate to much more than the sum set aside thereby for the payment of the same, and yet a large amount of claims for services rendered and supplies furnished were not audited by said Board. and –
Whereas the deficiency in the appropriation hereby caused will amount to a large sum (being probably seventy five thousand dollars) and is thereby working great hardship to many citizens of the State, Therefore –

Be it ordained by the People of Arkansas in convention assembled

That the Governor is hereby appointed to examine and decide upon all claims that may have arisen under Subs. Div 2 and 3 of Sec 10 of said act, and which were not acted upon by the Military Board herein before referred to, and shall have all necessary powers for that purpose, and shall endorse upon all claims presented to them his decision thereupon.

2. That the Auditor be and he is hereby instructed to issue his warrants on the Treasury of the State for the various amounts of the claims included as follows.

1st All claims approved by the Military Board in accordance with law and now remaining unpaid

2d All claims that may be approved by the Governor as above provided for.

3rd All claims arising under Sub 4; Sec 10 of said Act referred to, which may have been properly approved and are still remaining unpaid

3- That the Treasurer shall upon presentation of the warrants of the Auditor, above referred to, issue thereon his certificate of indebtedness in accordance with law and a sufficient sum of money is hereby appropriated from any funds in the Treasury not otherwise appropriated to pay the same

which was laid upon the table subject to call.

Mr Eagle chairman of committee on Engrossment made the following report-

Mr President-

Your committee on Engrossment have examined article

on "Finance and Taxation" and report-
the same correctly engrossed.

The report of the Committee was received

The article on Finance was then on motion read
the 3d time.

Under a suspension of the rules Mr Rector of
Garland moved to reconsider sec. 5. of the Article
on Finance. Which was agreed to.

Mr Rector of Garland moved that sec. 5 be
referred to a select committee of five.
Which was carried

The President announced as such committee
Messrs Flanagin. Butler, of Independence.
Thompson. Thomason of Crawford &
Bunch.

Mr Eagle Chairman of the Committee on
engrossment made the following report-

Mr President-

Your Committee on engross-
-ment have examined Article on Impeach-
-ment and Address" and report the same
correctly engrossed.

The article on Impeachment was then read
a third time and placed on its final passage

The roll was called and the following named
members voted in the Affirmative

Anderson	Craighead.	Bunch	
Butler, of Independence.		Bailey	Brown
Barnes.	Blackwell.	Brown.	Bates
Bowen.	Bypert, of Baxter.	Bypert of White	
Copeland	Cunningham.	Crowley.	
Carter.	Carroll.	Cobler	Carter
Chisum.	Dinsmoor.	Flanagin	Gibson.

Garland. Gulley. Goodwin. House
Hampton. Horton. Hawkins. Hanna
Howell. Kilgore. Kelly. Leeper
Lucas. Lindsey. Lake. Mosley.
Mansfield. Murphy. Miller. Niven
Patterson. Pinkney Parrott. Pulliam
Rogers. Ross. Tucker. Rutherford
Stanley. Scott. Smith, J. Saline
Sorrels. Thomason, J. Crawford. Thomason
of Washington) Thompson. Williams J =
= Jefferson, Williams J Little River
Williams J Shark. Williams J Union.
Walker & Mr President

Those voting in the negative were
Anderson, J Lee. Butler J Pulaski. Downs.
Doswell. Eakin. Frierson & Perkins

In the Affirmative 68
In the Negative 7
Not voting 16
21

So the article on Impeachment and Address was adopted and referred to the Committee J Arrangement and Revision under the rule.

The Article as adopted reads as follows

Impeachment and Address.

Sec 1. The Governor and all State Officers Judges of the Supreme and Circuit Court. Chancellor and Prosecuting Attorneys shall be liable to impeachment for high crimes, misdemeanors and gross misconduct in office; but the judgement shall not go further than removal from office and disqualification to hold any office J honor trust or profit under this State. An impeachment whether successful or not shall be =

no bar to an indictment.

Sec. 2. The House of Representatives shall have the sole power of impeachment. All impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be upon oath or affirmation; nor person shall be convicted without the concurrence of two-thirds of the members thereof. The Chief Justice shall preside unless he is impeached or otherwise disqualified when the Senate shall select a presiding Officer.

Sec. 3. The Governor, upon the joint address of two-thirds of all the members elected to each House of the General Assembly, for good cause, may remove the Auditor, Treasurer, Secretary of State, Attorney General, Judges of the Supreme and Circuit Courts, Chancellors and Prosecuting Attorneys.

The article on Miscellaneous Provisions was taken up

The question recurred on the adoption of the amendment offered by Mr Smith of Lafayette. to sec. 9

which on being put was not agreed to.

Mr Thomason, of Crawford moved to amend by adding after the word any "State or County Offices" in line one. Sec. 9.

Mr Rector moved further to amend by striking out the word "County". Which was accepted by Mr. Thomason.

The ayes and noes were called on the main question

The Secretary called the roll and the following named members voted in the Affirmative -

Anderson, of Lee. Bunch. Butler, of Independence
Bailey. Barnes. Blackwell. Brown.
Bates. Boyer. Bypert, of Baylor.
Bypert, of White. Cunningham. Crowley.

Custer. Carroll. Cobler. Carter. Cagle. Chism.
Downs. Dunaway. Dowell. Eakin. Eagle. Flanagan
Grierson. Fishback. Garland. Gordwin. Howe. Horner.
Hughes. Hawkins. Hanna. Howell. Hilgen. Kelly
Leiper Lucas. Lester. Lindsey. Lake. Morley
Mansfield. Murphy. Miller. Irwin Parrott Rogers.
Ross. Rieter. Rutherford. Reinhardt. Scott
Smith, J Salina. Sorels. Thomason, J Crawford. Thomason
J Washington) Thompson. Williams, J Jefferson
Williams, J Little River. Williams, J Sharp
Williams, J Union. Walker, Tutt & Mr President

Those voting in the negative were

Sanderson, J Craighead. Copeland. Gulley
O'Sullivan. Patterson. Perkins. Pulliam.
J. Smith J Lafayette.

In the affirmative 66.
In the Negative 8
Not voting 17
91

So the amendment was agreed to.

Mr Mansfield, J Franklin moved to insert the word "permanent" in the section.
Which was agreed to

Mr Butler, J Independence, moved to strike out the section.

The ayes and noes were ordered on the main question

The roll was called and the following named members voted in the affirmative -

Anderson, J Lee. Anderson, J Craighead Branch
Butler, J Independence. Bailey. Brown.
Blackwell. Brown. Bowen. Bryant, J Boone
Bryant, J Cobile. Copeland. Crowley.
Carroll. Cagle. Downs. Dowell.

Eakin. Flanagin. Frierson. Garland Gulley
House. Horner. Hawkins. Lester. Murphy
Pendergrass. Perkins Rutherford. Smith, J Lafayette
Smith, J Saline. Thompson. Williams J -
Jefferson. Williams, J. Little River. Williams J
Sharp) & Witt.

Those voting in the negative were -

Barnes. Bates. Cunningham. Crister. Cable
Carter. Chism. Dunaway. Eagle. Fishback
Goodwin. Hughes. Hanna. Howell. Fillgore
Kelly. Leiper. Lucas. Lindsey Lake.
Mosley. Mansfield. Miller Niven. O'Sullivan
Patterson. Parrott. Pulliam. Ross. Rector
Reinhardt. Stanley. Scott. Sorrels. Thomason.
J Crawford. Thomason, J Washington. Williams J
(Union) Walker & Mr President.

In the affirmative	38
In the negative	39
Not voting	14
	91

So the motion to strike out was lost -

Mr Leiper, J Dallas offered the following as an additional Section

"At the first election under this Constitution a Commissioner of State Lands shall be elected by the people and the office of Commissioner of State Lands shall continue until abolished by the General Assembly.

Mr Rector called for the "ayes and noes."

The call was sustained

The question was put and the ayes and nos were ordered.

The Section was then on motion referred to the Committee on Schedule and Ordinances

with instructions to report a section.

Mr Thomason of Crawford offered the following as an additional section:

The Governor, Secretary of State, Auditor, Treasurer, Attorney General, Judges of the Supreme Court, Judges of the Circuit Courts and Prosecuting Attorneys shall each receive a salary to be established by law, which shall not be increased or diminished during his official term, nor shall any of them except Prosecuting Attorneys, after the adoption of this Constitution, receive to his own use any fees costs, perquisites of office or other compensation; and all fees that may hereafter be payable by law, for any service performed by any officer mentioned in this section, except as herein expected shall be paid in advance into the State treasury; provided that the salaries of the respective officers herein mentioned shall never exceed,

for Governor, the sum of dollars,
for Secretary of State, the sum of dollars,
for Auditor, the sum of dollars
for Treasurer, the sum of, dollars
for Attorney General, the sum of dollars
for Judges of Supreme Court the sum of dollars each.
for Judges of Circuit Courts and Chancellors the sum of dollars each
for Prosecuting Attorneys the sum of — dollars each.

Mr Smith of Saline moved to add to Section 16 the words "fixed otherwise provided by law".

Mr Mansfield moved to amend by adding "except as otherwise provided by this Constitution

which on being put was adopted.

The question then recurred upon the adoption of the Amendment offered by Mr Smith of Saline which on being put was not agreed to.

The question then recurred upon the additional section offered by Mr Thomason, of Crawford.

Mr Thompson, of Woodruff moved to strike out the proviso in said additional section

The previous question was ordered

The ayes and noes were called for on the main question and ordered

The roll was called and the following named members voted in the Affirmative -

Anderson, of Craighead. Bunch (Butler & Independence
Bailey. Brown. Blackwell. Brown.
Cypert of White. Crowley. Doswell.
Eakin. Flanagin. Frierson. Garland.
Galley. House. Horton. Hawkins
Lester. Mosley. Miller Shoen.
Pumphrey. Rogers. Rutherford. Reinhardt-
Stanley Smith of Salins. Thomason
Williams, of Jefferson. Williams, of Little River
Williams, of Sharp. Williams of Union & Ouachita.

Those voting in the negative were -

Anderson, of Lee. Barnes. Bates. Bowen.
Cypert of Baxter. Copeland. Cunningham
Eccles. Carroll. Cabler. Carter. Cagle
Chrisco. Downs. Dunaway. Eagle. Fishback
Gibson. Goodwin. Hughes Hanna. Howell.
Jones. Killgore. Leiper. Lucas. Lindsay
Lake. Mansfield. Mosley. O'Sullivan.
Patterson. Perkins. Parrott. Pullcarro Rose.
Rector. Scott- Smith of Lafayette. Sorrels
Thomason, of Crawford. Thomason of Washington
Walker & Mr President.

For the Affirmative 34
For the negative 44
Not voting 3

So the motion to strike out was not agreed to -

Mr Flanagin of Clark moved to strike out the words "for Supreme and Circuit Judges"

Which was not agreed to

Mr Fishback moved to fill the blank for the Office of Governor with the sum of $3000.

Mr Dowell of Jackson asked for a suspension of the rules that he might be permitted to introduce a resolution

The ayes and noes were ordered

The roll was called and the following named members voted in the affirmative

Anderson, Craighead. Butler, Independence
Bailey. Blackwell. Brown. Brown.
Copeland. Cunningham. Chism. Downs
Dowell Fishback. Gibson. Garland
Engle. Howe. Horton. Hughes.
Jones. Killgore. Mansfield. Keller
O'Sullivan. Johnson. Pinkney. Parrott
Pulliam Rogers. Rector. Stanley
Scott. South of Lafayette. Thompson
& Mr President-

Those voting in the negative were -
Anderson of Lu Bunch.
Brown. Barnes. Cates. Cypert of Baxter
Cypert of Conway Crowley. Crooks Carroll
Gabbert Castin. Dunaway. Eakin. Flanagin
Frierson Goodwin. Hamilton. Hawkins
Howell. Kelso. Lucas. Lindsey.
Lyle Mosley. Pemberton Price
Perkins Ross. Pritchard. Reinhardt
South of Calhoun. Thompson of Crawford
Thompson of Washington. Williams of Jefferson
Williams, of Little River. Williams of Stark

Williams of Union. Walker & Bell.

On the Affirmative 34
On the Negative 40
Not voting 17
91

So the rules was not suspended

Mr Goodwin called for the previous question
The call was sustained and the previous question was ordered

The ayes and noes were ordered on the main question

The roll was called and the following named members voted in the affirmative

Anderson, of Lee. Anderson. of Craighead.
Bunch. Bailey. Barnes. Bates.
Bowen. Cypert of Bader. Copeland
Cunningham Custer. Carroll. Cabe
Carter. Chism. Dunaway. Fishback Gibson
Gulley. House. Haines. Howell. Jones
Kilgore. Leiper. Lucas. Lindsey. Lake
Mansfield. Murphy. Miller. Nixon. O'Sullivan
Patterson. Pindergy. Perkins. Parrott-Pillian
Ross. Rector. Rutherford. Reinhardt
Scott. Smith of Lafayette Williams of Little River
Walker. Watt & Mr President-

Those voting in the negative were

Butler of Independence. Braner. Blackwell
Brown. Cypert of Izard Crowley. Downs.
Eakin. Flanagin. Frierson. Garland
Goodwin Hampton. Horton. Hughes.
Hawkins. Mosley. Rogers. Stanley.
Smith of Saline. Stroman of Crawford.
Thomason of Washington. Thompson.
Williams of Jefferson. Williams of Sharp
& Williams of Union.

In the affirmative 47
In the negative 28
Not voting 6
91

So the amendment was agreed to -

Mr Thompson of Woodruff moved to add at end of line first amended the words "for funds"

Upon which the ayes and noes were ordered

The roll was called and the following named members voted in the affirmative

Bunn. Brown. Crowley. Flanagin. Gause. Hughes. Jones. Mansfield Parrott Smith, J. Lafayette. Smith, J. Saline. Thompson & Williams, J. Shark.

Those voting in the negative were -

Anderson, J. Lee. Anderson, J. Craighead Branch Butler, of Independence. Bailey. Barnes. Blackwell Bates. Boren. Bryant J. Baxter Bryant J. White Copeland. Cunningham. Curtis. Carroll Carter. Cobler Chrisman. Downs Dunaway. Dowell. Eakin. Frierson. Fishback Gibson. Garland. Gulley. Gordevin. Hampton. Horton. Hawkins. Hanna Harwell. Killgore. Leiper. Lucas. Lesley Lindsey Lake. Mosley Mourphy. Miller. Steven. O'Sullivan Patterson Pemberton Perkins. Pulliam Rogers. Reed. Rector. Rutherford Reinhardt. Stanley Scott. Sorrels Thomason of Crawford. Thomason of Washington Williams of Jefferson. Williams of Little River Walker. Watts. Wells. & Mr President.

So the affirmative 11
In the negative 43
Not voting 17
91

So the amendment was not agreed to

Mr Fishback of Sebastian moved to fill the blank for Secretary of State with $25.00.

The motion was put under the operations of the previous question and carried.

Mr Fishback of Sebastian moved to fill the blank for the office of "Treasurer" with $25.00

Mr Flanagin moved to amend by saying $15.00

Which amendment was accepted by Mr Fishback

Mr Patterson moved to further amend by saying $20.00.

Which was also accepted by Mr Fishback

Mr Walker moved to amend and pay $25.00

Which was also accepted by Mr Fishback

Mr Smith of Lafayette gave notice that on to-morrow he would move to reconsider the vote of the Convention had on the Salary of Governor for the purpose of raising the amount to $3500.

The question then recurred upon the motion of Mr Fishback of Sebastian

The previous question was called for and ordered

The ayes and noes were ordered on the main question.

The roll was called and the following named members voted in the Affirmative

Bunch. Barnes. Copeland. Carroll
Cabler. Downs. Eagle. Frierson

Fishback. Gibson. Hanna Jones. Kellgore.
Lindsey Miller. Shorin. O'Sullivan. Prunty
Rose. Rutherford Smith of Lafayette. Williams of
Union) Walker & Watts.

Those voting in the negative were

Anderson, of Lee. Anderson, of Craighead. Butler of
Independence) Bailey. Brown. Blackwell
Bates. Bowen. Cypert of Baxter. Cypert of White
Cunningham Crowley. Custer. Faber,
Carter. Chism. Dunaway. Doswell. Eaton
Flanagin. Garland. Gulley. Goodwin Horne
Hampton. Horton. Hughes. Hawkins Howell
Kelly. Lucas. Lester. Lake. Mosley
Mansfield. Murphy. Patterson Perkins. Parrott.
Pulliam. Rogers. Rector. Reinhardt Stanley
Scott. Smith, of Saline. Sorrels.
Thomason, of Crawford. Thomason of Washington
Thompson. Williams of Jefferson.
Williams of Little River. Williams of Sharp
& Mc President.

In the affirmative	24
In the negative	55
Not voting	12
	91

So the amendment was not agreed to

Mr. Rector, of Garland moved to fill the blanks with $2 000.

Mr. Goodwin called for the previous question. The call was sustained and ordered

The ayes and noes were ordered on the main question

The roll was called and the following named members voted in the affirmative

Anderson, J Lee. Anderson, J Craighead Branch
Barnes. Bates. Cypert, J Baptist. Copeland
Cunningham. Custis. Carroll. Cabler
Carter. Cagle. Chisum. Downs. Dunaway
Eagle. Fishback Gibson. Gulley. Goodwin
Hamptons Hanna. Howell. Jones. Lucas.
Lester. Lake. Mansfield Murphy Nixon
O'Sullivan. Patterson. Perkins. Parrott. Pulliam
Rogers. Ross. Rector. Rutherford.
Reinhardt. Scott. Smith J Lafayette
Thomason, J Washington. Williams J Little River
Williams J Sharp. Williams, J Union.
Walker. Tatte. & Mr President.

Those voting in the negation were

Butler J Independence. Bailey. Brown.
Blackwell. Brown. Cypert J White Crowley
Doswell. Eakin Flanagin. Grisson
Garland. House. Horton. Hughes.
Hawkins. Gillpot. Lindsey. Hosley.
Miller. Pentony. Stanley Smith of
Salins. Sorrels. Thomason, J Crawford
Thompson. & Williams J Jefferson.

In the Affirmative 50
In the Negative 27
Not voting 14
91

So the amendment was agreed to -

The Convention then took a Recess until 4 o'clock P.M.

After the Recess

The Convention met at 4 o'clock

A quorum present.

Mr Fishback by consent moved that resolution &c. referred to the Finance committee

recently be referred to a special committee of three

Mr Hughes of Monroe by consent introduced the following Ordinance which was laid over one day.

An Ordinance for the submission of the question of the exemption of Capital invested in Manufacturing and Mining from taxation.

Be it Ordained by the Constitutional Convention of the State of Arkansas.

Sec 1. That at the election to be held for ratification of this Constitution, the electors shall also vote for the adoption or rejection, separately, of the following clause to be included in said Constitution that is to say "The Capital stock, building sites, buildings machinery tools and materials, used in this State by incorporated companies in the manufacture of Cotton and woolen goods. & in machine shops, blast furnaces, rolling mills, the manufacture of agricultural implements, leather, and furniture, doors, blinds and sash, shall be exempt from taxation for the period of ten years from the 1st day of January 1875 but no longer

Sec. 2. That the ballots cast at said election have written or printed on them the words "For exemption" or "Against exemption" and if there be a majority of the votes, thus cast, for exemption, the above clause shall be a part of said Constitution and numbered Sec ___ of Article thereof, otherwise it shall be void and of no effect.

Mr Flanagin Chairman of the Committee on Revision made the following report. -

The Special Committee to whom was referred the fifth Section of the article on Finance, and

Taxation recommend that the first sentence be stricken out and the clause herewith reported substituted.

Sec. 5. All property subject to taxation, shall be taxed according to its value, that value to be ascertained in such manner as the General Assembly shall direct-making the same equal and uniform throughout the State. No one species of property, from which a tax may be collected shall be taxed higher than another species of property of equal value; Provided, the General Assembly shall have power from time to time to tax hawkers, peddlers, ferries, exhibitions and and privileges in such manner as may be deemed proper.

Mr Butler, of Independence, chairman of the Committee on Schedule & Ordinance introduced the following Ordinance, which on motion of Mr Eagle was made a special order for 9 o'clock a.m. to-morrow.

An Ordinance extending the time for the Redemption of Forfeited Lands and for other purposes.

Be it ordained by the People of the State of Arkansas in Convention Assembled.
Sec. 1. That all lands forfeited to the State of Arkansas for non-payment of the taxes assessed thereon, since and including the year 1868 and remaining unsold or not-do-nated may be redeemed by the owner or person entitled to redeem the same at the time of such forfeiture, at any time prior to the first day of January 1876, until which time all such lands are hereby reserved from sale or do-nation.

Sec. 2. That the mode of redemption shall be by application to the Auditor in the same manner as now provided by law in cases where the

time of redemption has not expired except that all penalties for the non-payment of the taxes assessed thereon are hereby remitted.

The President announced the Special Committee, to consider of the matters now before the Finance Committee - as follows

Walker, of Washington
Killgore, of Columbia
Bowen, of Mississippi

The Article on Miscellaneous Provisions was then taken up.

Mr Fishback moved to fill blank for Section in the sum of $ 3000.

Which on being put was lost-

Mr Barnes moved to say $ 2.500
Which on being put was lost--

Mr Rector of Garland moved to say $ 2 000

Upon which the previous question was called and ordered

The ayes and nays were ordered on the main question.

The roll was called and the following named members voted in the Affirmative -

Anderson, J. Lee	Brunch.	Bailey.	Barnes-	
Baker.	Cypert, J.	Baxter.	Copeland	..
Cunningham.	Cusker.	Carroll	Cabler	
Carter.	Chrisom.	Downs.	Dunaway	Eagle.
Fishback.	Gibson.	Gulley.	Harrison	Hoyle
Kelly.	Leiper.	Lindsey	Lake.	Murphy
Niven.	O'Sullivan	Patterson.	Quinney	
Perkins.	Cullum.	Rogers.	Read.	
Rector.	Cockrell.	Reinhardt	Smith, J.	
Lafayette.)	Sorrels.	Thomason, J. Washington		
Whittle.	Tait &	Mr President.		

Those voting in the Negative were

Butler, of Independence. Brown. Bowen.
Eakin. Flanagin
Hampton Honnon.
Hanna. Killgore.
Miller. Parrott.
Smith, of Saline. Thompson, of Crawford
Thompson: Little River. Williams, of Jefferson. Williams, of Clark. Williams of Union.)

In the affirmative 43.
In the Negative 30
Not voting 18
91

So the amendment was agreed to.

Mr Barnes moved to fill blank with $2500 for Attorney General - which on being put - was lost.

Mr Rector moved to fill the blank with $2000

Upon which the ayes and noes were ordered

The roll was called and the following named members voted in the affirmative:

Anderson, of Lee. Anderson of Craighead (Barnes.
Bates. Bowen. Cypert, of Baxter. Copeland
Cunningham. Eccles. Carroll. Carter
Downs. Eagle. Fishback. Gibson Gatlin
Kelly. Leiper. Lucas. Little Mansfield
Niven O'Sullivan Patterson. Perkins (Parrott
Pulliam. Ross. Rector. Southerford.
Reinhardt Smith, of Lafayette.
Thomason, of Washington. Walker. Watt
& Mr President.

Those voting in the Negative were -

Bunch. Butler, of Independence. Bailey. Burnes.
Blackwell. Brown Bynum & Cobb
Cabler. Chism Dunaway. Dowell.
Eakin. Flanagin. Frierson. Howe
Hempton. Harrison. Horton. Hawkins
Hanna. Howell. Killgore Lindsey.
Mosley. Murphy. Miller Pumbey
Rogers. Smoot Stanley Scott
Smith, of Saline. Sorrels. Thomason &
Crawford. Thompson. Williams of Jefferson
Williams, of Little River. Williams of Shark.

In the affirmative 36
In the negative 39
Not voting 16
91

So the amendment was not agreed to.

Mr Barnes, of Pulaski moved to insert $1,800

The previous question was ordered

The ayes and noes were ordered on the main question

The roll was called and the following named members voted on the affirmative

Anderson of Lee. Anderson of Craighead. Barnes.
Blackwell. Bates. Bowen. Bynum of Baxter
Copeland. Cunningham. Custer. Carroll.
Carter. Cagle. Chism. Dowd. Dunaway.
Eagle. Fishback Gibson Gully. Leiper
Lucas. Lake. O'Sullivan. Patterson
Pumbey. Perkins. Parrott Pullum
Ross. Proctor Rutherford. Reinhardt
Smith of Lafayette. Scott Thomason of Washington
Tucker Tedd & Mr President.

Those voting in the negative were

Berner. Butler of Independence Bailey
Brown. Bynum. Bynum of Cotton Carter

Doswell. Eakin. Flanagin. Frierson House.
Hampton. Harrison. Horton. Hawkins Hanna
Howell. Kellgore. Lindsey. Mosley. Mansfield
Murphy. Miller. Rives Rogers. Smoot
Stanley. . . Smith of Salino. Sorrels.
Thomason of Crawford. Thompson. Williams of Jefferson Williams of Little River. Williams of Sharp.) & Williams of Union.

In the affirmative 89
In the negative 36
Not voting 16
91

So the amendment was agreed to —

Mr Fishback moved to fill blanks for Supreme Judges at $ 4000.

The ayes and noes were called for and ordered

The previous question was ordered on the main question

The Roll was called, and the following named members voted in the affirmative:
Brown. Copeland Curtis Carroll
Doswell Fishback & Ross

Those voting in the negative were.
Anderson of Lee. Anderson of Craighead
Bunch Butler of Independence Bailey
Bunn Barnes. Blackwell Brown
Bales Cypert of Boyles. Cypert of White
Cummingham. Caldwell. Curtis Cagle
Chisum Downs Dunaway Eakin
Eagle. Flanagin. Frierson Gibson
Hadley. Gordon Hinson. Hampton
Harrison Hynes Hawkins Hanna
Howell Kellgore Leiper Duncan
Lindsey Lake Mosley Mansfield
Murphy Miller Rives Robertson
Patterson Pruetney. Perkins Pruett.

Pulliam. Rogers. Rector. Rutherford. Reinhardt
Smoote. Stanley Scott. Smith of Lafayette
Smith of Guilford. Sowell. Thomason of Crawford
Thomason of Washington Thompson. Williams
of Jefferson. Williams of Little River. Williams
of Chatham. Williams of Union. Walker Witt &
Mr President

In the affirmative 7.
In the negative 69.
Not voting 15
91.

So the amendment was not agreed
to.
Mr Barnes moved to fill the blank with $500.
Dollars.

Upon which the ayes and noes were ordered.

The roll was called and the following named
members voted in the affirmative.
Anderson of Lee. Bunn. Barnes. Bowen
Cypert of Baylor. Copeland. Curtis. Carroll
Chism. Downs Dowell Freiser Fishback
Gulley. Lindsey Mosely. Mansfield Miller
Ross. Scott. Smith of Lafayette Thompson.
Williams of Union. Walker. Witt and Mr
President.

Those voting in the negative were.
Anderson of Craighead. Bunch. Butler of
Independence. Bailey. Blackwell Brown
Bates. Cypert of White. Cummingham. Crowley
Corbin Curtis. Cagle. Dunaway. Easkin
Eagle. Flanagin Gibson. Goodwin Green
Hamplin. Harrison Hawkins. Hanna
Hamill Kilgore Lisper Lucas.
Lake. Murphy. Niven Sullivan
Pattison. Pickens. Perkins. Parnell.
Pulliam. Rogers. Rector Rutherford
Reinhardt Smoote. Stanley Smith
of Calhoun. Sowell. Thomason of Crawford

Thomason of Washington Williams of Jefferson
Williams of Little River. Williams of Sharp.

In the affirmative 26.
In the negative 50.
Not voting. 15
91.
So the amendment was not agreed to.

Mr Brown of Clayton sent to the secretays
desk the following explanation of his vote.

"I vote no for the reason that I am opposed
to fixing the salaries of state offices in the
organic law of the state. Secondly because
the convention has fixed the salaries of
Governor at $3000.00/100 Auditor at $2000.00
Attorney General $1800.00 all of which in
my judgement is too small, but since
said salaries are permanently fixed,
then I am not willing to discriminate
so largely in favor of the judiciary

Mr Gibson moved to fill the blank with
$3000.

Upon which the ayes and noes were ordered

The roll was called and the following
named members voted in the affirmative
Anderson of Lee. Anderson of Craighead
Bunn. Barnes. Bates Bryant of Baxter
Copeland. Cunningham Curtis Carroll
Caulon. Carter Cagle. Chism
Downs Dunaway. Eagle. Fishback
Gibson Gurley. Gordon Hamlet
Jones. Joyner. Lisle Lucas.
Lindsey Mosely Mansfield Niven
O'Sullivan Patterson Pantry Perkins
Parrott Pulliam Rogers Rose.
Reiter Rutherford Reinhardt Smith
of Lafayette Williams of Union Walker

Witt & Mr President.

Those voting in the negative were.
Bunch. Butts of Independence. Bailey
Bleckwell. Brown. Bryant of white County
Eakin Flanagin. Fraser. Horne.
Hanson. Hinder. Hawkins. Howell.
Killgore. Lake. Murphy. Miller. Smoot
Stanley. Scott. Smith of Pulaski Sorels
Thomason of Crawford. Thomason of Washington. Thompson. Williams of Jefferson.
Williams of Little River & Williams of Izard.

In the affirmative 45
In the negative. 31.
Not voting. 15
91

So the amendment was adopted.

Mr Copeland of Crittenden moved to fix blank for circuit Judges with $3000.00

which was not agreed to

Mr Rector moved to insert $2000.

Upon which the ayes and noes were ordered.

The roll was called and the following named members stick in the affirmative.
Anderson of Lee. Barnes. Bates. Copeland
Cunningham. Custer. Cabler. Calhoun
Eagle. Evans Downs Dunaway.
Dosmel. Eagle. Fishback. Gulley
Goodwin Hamm. Lucas. Lindsey
Miller Appleton Perkins Parott
Ross. Rector. Rutherford Reinhardt Smith of Lafayette. Thomason of Washington. Thompson. Williams of Union. Wheeler. Witt and Mr President.

Those voting in the negative were;
Anderson of Craighead. Bunch. Butler
of Independence Bailey. Blackwell
Brown. Cypert of Baxter Cypert of White
Crowley Easley. Flanagin. Frierson.
Gibson. Horne. Hampton. Harrison
Horner. Hawkins. Howell. Killgore
Leiper. Lake. Mosely. Mansfield
Irwin. Pattison Pruitney. Pulliam
Rogers. Smoot. Stanley. Smith of
Saline Sorrels Thomason of Crawford.
Williams of Little River. and Williams
of Sharp.

In the affirmative	38.
In the negative	38.
Not voting.	18
	91.

So the amendment was not agreed to.

Mr Barnes moved to fill the blank with $2800 —

Upon which the "ayes and noes" were ordered.

The roll was called and the following named members voted in the affirmative
Barnes. Bates Brown Copeland
Austin. Carroll. Cobb. Cole
Cagle. Downs Dunaway Dowell
Fishback Gordon Adams.
Mosely. Smith of Lafayette Williams
of Union. and Wilker.

Those voting in the negative were
Anderson of Lee. Anderson of Craighead
Bunch. Butler of Independence Bailey
Blackwell. Brown Cypert of Baxter
Cypert of White Cunningham Crowley
Glisson Easley Eagle. Flanagin
Frierson Horner Hawkins Howell

Kilgore. Leiper. Lindsey. Lake. Mansfield
Murphy Miller. O'Sullivan. Patterson,
Pantany. Perkins. Pruett. Pulliam Rogers
Ross. Reeder. Reinhardt Smoot. Stanley
Scott. Smith of Dallas. Sorrels. Thomason
of Crawford. Thomason of Washington
Thompson. Williams of Jefferson. Williams
of Little River. Williams of Wash. Wood and
Mr President.

In the affirmative 19.
In the negative. 65.
Not voting 17
91.

So the amendment was not agreed to.

Mr Reeder of Garland moved to amend by inserting $2250.

Mr Smoote of Columbia offered to amend as follows.

"Amend by substituting the following for the provisions for paying prosecuting attorneys, "Prosecuting attorneys shall never receive any salary from the state or any county, other than such fees and perquisites of office as may be allowed them by law.

Which was adopted.

Mr Smith of Lafayette moved to amend the law of circuit judges, to include Judges of the chancery courts.

Which was agreed to.

Mr Williams of Jefferson moved to adjourn until tomorrow morning.

at 8. o clock but withdrew it.

Mr Brown of clayton renewed the motion to adjourn.

The ayes and noes were called for and ordered

The roll was called and the following named members voted for the affirmative Butler of Independence. Brown, Brown. Cypert of Butler. Cypert of White. Eakin Flanagin Fulton Hinse. Hampton Horner Hughes. Mansfield Murphy Miller Arnold Stanley Smith of Calhoun Johnson of Crawford Johnson Williams of Jefferson. Williams of Little River, Williams of Sharp Williams of Union. and Mr Witt.

Those voting in the negative were. Anderson of Lee. Anderson of Craighead Bunch. Bailey Burnis. Blackwell Bolts. Copeland Cunningham Crowley Cusic Carroll. Carter Cabler Cagle. Chisum Dorris Dunaway Dazzell Eagle Fishback Gibson Gulley. Gresham Hawkins Hanna. Harrell Killgore Kelly Leiper Lucas Lindsey Lake Miller Mullinax Patterson Pinkney Perkins Pulliam Rogers. Ross Rector Rutherford Reinhardt Scott Smith of Lafayette Sorrels Johnson of Washington. Walker and Mr President

In the affirmative 27.
In the negative. 60
Not voting 14
91.

So the convention refused to adjourn

Mr Gibson moved the previous question upon his motion to adopt the section as amended. which was sustained, and ordered.

Mr Flannagan moved to adjourn until 8 o clock tomorrow.

The President declared the motion out of order.

Mr Williams of Jefferson asked for a call of the committee.

The call was proceeded with.

Mr Smith of Lafayette moved that the further call of the committee be dispensed with.

upon which Mr Flannagan called for the ayes and noes.

The ayes and noes were ordered.

The roll was called and the following named members voted in the affirmative
Anderson of Lee. Anderson of Craighead
Bunch. Bailey Barnes. Blackwell
Bates. Brodie. Bryant of Baxter. Copeland
Cunningham, Conley Curtis. Council
Cabe. Caulk. Chism Dennis. Dun-
away Driscoll. Eagle. Fishback
Gibson Gulley Gladson. Grace
Harrison Hughes, Howell Hillyer
Leigh Lucas Lindsey Luke.
Mansfield Murphy Mimm. Moulton
Pattison Perkins Pulliam Rogers
Ross Reeler Rutherford Reinhardt
Scott Smith of Lafayette Sorrels.
Thomason of Crawford Thomason
of Washington Thompson Williams of

of Swim. Walker. Watts and the President

Those voting in the negative were. Butts of Independence. Brown Cypert of White. Cagle. Eakin Flanagin. Frisco. Homer. Hawkins Killgore Mosely. Miller. Pantney Parrott. Smith. Stanley. Smith of Calhoun. Williams of Jefferson. Williams of Little River. and Williams of Izard.

In the affirmative	65.
In the negative	20.
Not voting.	16
	91

So the further call of the Convention was dispensed with.

The question then recurred upon the motion of Mr Gibson to adopt the section as amended.

Upon the ayes and noes, and the previous question had been ordered.

The roll was called and the following named members voted in the affirmative:

Addison of Lee. Andrews of Craighead Bunch. Berry. Barnes. Blackwell Bales. Brown. Cypert of Baxter Cypert of White. Copeland Cunningham Austin Carroll Cubine Cantrell Clinton Downs. Dunaway Eagle Fishback Gibson Gurley. Hampton Harrison Harrell Kelley Lupton Lucas. Lindsey Lake Mansfield Murphy Mixon Sullivan Patton Pruitt Perkins Parrott Pulliam Ross. Rector Rutherford Reinhardt Scott. Smith of Lafayette. Sorrels.

Thomas of Crawford. Thomson of Washington. and Walker

Those voting in the negative were. Beebe of Cumberland. Bailey. Bunn. Brown. Conley. Cogle. Dossett. Eaton. Flanagan. Fuson Gorham. Hance. Howe. Hughes. Hunkins. Kellogg Mosely. Mann. Rogers. Smoke. Stanley. Smith of Galena. Thompson. Williams of Jefferson. Williams of Little River. Williams of Shark. Williams of Union. Witt and Mr President.

In the affirmative	49.
In the negative	27.
Not voting	15
	91.

So the question as amended was adopted.

Mr Thomson of Gull sent to the secretary's desk the following explanation of his vote.

Mr President "I vote aye because it is the best I can do but believe the salaries as fixed are too high.

Mr Hunter of Washington moved to reconsider the vote just had and to lay that motion on the table.

The question was taken; a division was called for.

Pending which the convention on motion of Mr Witt of Van Buren adjourned until tomorrow morning at 8 o'clock A.M.

Lyman Trumbull President of the Convention

Thomas M. Hunter
Secretary.

Wednesday. 8. Oclock AM

September 2d. 1874.

The convention met pursuant to adjournment.

The roll was called and the following named members answered to their names.

Anderson of Lee. Anderson of Brighead
Bunch. Burks of Independence
Baily. Blackwell. Brown Bates.
Brown Bynum of Bayou Bynum
White. Cummingham. Crosby. Cannel
Caden. Curtis Chism. Dixon.
Runaway Erskin Flannagin
Fishback Garland. Gunter Gordwin
Hinse. Hampton. Hamlin
Hawkins. Hamm. Killgore Kirby
Lipes. Lucas. Lindsey Lake
Mosely. Mansfield. Murphy Miller
Owen. Pattison. Pantney Pindall
Parott. Quillian Rogers. Rose.
Rutherford. Reinhardt Smoot
Stanley. Scott. Sorrels. Thompson
Little River of Jefferson. Williams of
of Union Walker and Mr President.

Those members failing to answer to their names were,

Butler of Pulaski Berry Bunn
Barnes. Copeland Curtis Cagle
Duncan. Eagle Fraser Gibson
Horner. Hughes. Howell. Jones
Joyner. Leslie Pemberton Rector
Smith of Lafayette Smith of Calhoun
Thomason of Crawford Thomason
of Washington and Witt.

a quorum of the convention present.

Prayer by the chaplain.

Mrs Russell. Thurman & Crawford
Thurman & Washington Leslie.
Stovall. Brunn. appeared in
their seats and answered to their names.

The journal of the preceding days was
then read and approved.

Mrs. Jones. Eagle. Smith of Lafayette
Witt. Barnes. Gibson Turner.
Hughes. Leslie. Rector. Sullivan
appeared in their seats and
answered to their names.

Mr Bullis of the dependence Thurman
of the committee on schedule and
ordinances made the following
report.

To the President of the Constitutional
Convention of the state of Arkansas

"Your committee on schedule and
ordinance offer the following report
which they ask to be received. In
general of the provisions of the schedule
your committee were most unanimous-
ly agreed, but no minority report
will be presented. as it is expected
the report will be fully discussed
in the convention.

J. W. Bullis
Chairman of Committee

Schedule.

Section 1. All laws now in force which
are not in conflict or inconsistent with
this constitution shall continue in

force until amended or repealed by the General Assembly.

Sec. 2. In civil actions no witness shall be excluded because he is a party to the suit, or is interested in the issue to be tried; provided, that in actions by or against executors, administrators or guardians, in which judgment may be rendered for or against them, neither party shall be allowed to testify against the other as to any transactions with, or statements of the testator, intestate or ward unless called to testify thereto by the opposite party, or required to testify thereto by the Court; provided further that this section may be amended or repealed by the General Assembly.

Sec. 3. An election shall be held at the several election precincts of every County in the State on Tuesday the 13th day of October 1874, for Governor, Secretary of State, Auditor Treasurer, Attorney-general, Chancellor and Clerk of the Separate Chancery Court of Pulaski County, Chief Justice and two associate justices of the Supreme Court, a circuit judge and a prosecuting Attorney for each Judicial Circuit provided for in this Constitution, Senators and Representatives to the General Assembly all County and township officers, provided for in this Constitution and also for the submission of this Constitution to the qualified electors of the State for its adoption or rejection

Sec. 4. The qualification of voters at the election to be held as provided in this schedule shall be the same as is now prescribed by Law.

Sec. 5. The State Board of Supervisors herein after mentioned shall give notice of said election immediately after the adoption of this Constitution by this Convention by proclamation and at least two newspapers published at Little Rock, and such other newspapers as they

may select. And such County Board of Supervisors shall give public notice in their respective counties of said election immediately after their appointment.

Sec. 6. The Governor shall also issue a proclamation enjoining upon all peace Officers the duty of preserving good order on the day of said election, and preventing any disturbance of the same.

Sec. 7. Augustus H. Garland, Gordon A Peay and Dudley E. Jones. are hereby constituted a state board of supervisors of said election, who shall take an oath faithfully and impartially to discharge the duties of their office, a majority of whom shall be a quorum, and who shall perform the duties herein assigned them. Should a vacancy occur in said board, by refusal to serve, death, removal, resignation or otherwise, or if any member should become incapacitated from performing said duties, the remaining members of the board shall fill the vacancy by appointment. But if all the places on said board become vacant at the same time, the said vacancies shall be filled by the president of this Convention

Sec. 8. Said state board shall at once proceed to appoint to appoint a board of election, supervisors for each County of this State, consisting of three men of known intelligence and uprightness of character, who shall take the same oath as above provided for the state board.

A majority of each board shall constitute a quorum, and shall perform the duties herein assigned to them; and vacancies occurring on the County boards shall be filled by the State-board.

Sec. 9. The State-board shall provide the form of poll-books, and each County board shall furnish the judges of each election precinct with three copies of the poll-books in the

form prescribed, and with the ballot-boxes, at the expense of the county.

Sec. 10. The state board of supervisors shall cause to be furnished in pamphlet form a sufficient number of copies of this Constitution to supply each County Supervisor and judge of election with a copy, and shall forward the same to the County election boards for distribution

Sec 11. The boards of county election supervisors shall at once proceed to appoint three judges of election for each election precinct in their respective counties; and the judges shall appoint three election clerks for their respective precincts, all of whom shall be good competent men, and take an oath as above prescribed. Should the judges of any election precinct fail to attend at the time and place provided by law, or decline to act the assembled electors shall choose competent persons in the manner provided by law to act in their place, who shall be sworn as above. The said County board of supervisors shall have power to add new places of voting as may best suit the convenience of the electors. But any such addition shall be made at least ten days before the day of election and shall be notified to the electors by written or printed notices, put up in at least five of the most public places of the township or ward.

Sec. 12. Said election shall be conducted in accordance with existing laws, except as herein provided. As the electors present themselves at the polls to vote, the judges of the elections shall pass upon their qualifications, and the clerks of the elections shall register their names on the poll-books; if qualified such registration by said clerks shall serve as

sufficient registration in conformity with the Constitution of this State, and then their vote shall be taken.

Sec. 13. Each elector shall have written or printed on his ticket "For Constitution," or "Against Constitution," and also the offices and the names of the candidates for the offices for which he desires to vote.

Sec. 14. The judges shall deposit the tickets in the ballot-box; but no elector shall vote outside of the township or ward in which he resides. The names of the electors shall be numbered, and the corresponding numbers shall be placed on the ballots by the judges when deposited.

Sec. 15. All dram-shops and drinking-houses in this State shall be closed during the day of said election, and the succeeding night; and any person selling or giving away intoxicating liquors during said day or night shall be punished by fine not less than two hundred dollars for each and every offense, or imprisoned not less than six months, or both.

Sec. 16. The polls shall be opened at 8 o'clock in the morning, and shall be kept open until sunset. After the polls are closed and the ballots counted by the judges, and the results by them certified on the poll-books, and the ballots sealed up, they should be returned to the county board of supervisors, who shall proceed to cast up the votes and ascertain and state the number of votes cast for the Constitution, and the number cast against the constitution, and also the number of votes cast for each candidate voted for for any office, and shall forthwith forward to the State board of supervisors, duly certified by them, one copy of the statement of abstracts of the votes so made out

by them; retain one copy in the office of the County, where they shall also deposit for safe keeping the ballots sealed up and one copy of the poll-books, retaining possession of the other copies.

Sec. 17. The State board of supervisors shall at once proceed on receiving such returns from the County boards to ascertain therefrom and state the whole number of votes given for the Constitution and the whole number given against it, and if a majority of the votes cast be in favor of the Constitution they shall at once make public that fact by publication in two or more of the leading newspapers published in the city of Little Rock and this Constitution from that date shall be in force; and they shall also make out and file in the office of Secretary of State an abstract of all the votes cast for the Constitution, and all the votes cast against it; And also an abstract of all the votes cast on every candidate voted for at the election and file the same in the office of Secretary of State, showing the candidates elected. They shall also make out and certify and lay before each house of the General Assembly a list of the members elected to that house, and shall also make out certify and deliver to the Speaker of the house of representatives an abstract of all the votes cast at the election for any and all persons for the office of Governor, Secretary of State, Treasurer of State, Auditor of State and Attorney-General, and the Speaker shall cast up the votes and announce the names of the persons elected to those offices. The Governor, Secretary of State, Auditor of the State and Attorney-general chosen at city election shall qualify and enter upon the discharge of their respective offices within fifteen days after the announcement of their election as

aforesaid.

Sec. 18. All officers shown to be elected by the abstract of said election filed by the state board of supervisors in the office of the Secretary of State required by this Constitution to be commissioned, shall be commissioned by the Governor.

Sec. 19. At said election the qualified electors of each county and senatorial district as defined in Article eight of this Constitution shall elect, respectively, representatives and Senators according to the numbers and apportionment contained in said article.

Sec. 20. All officers elected under this Constitution except the Governor, Secretary of State Auditor of State, Treasurer and Attorney-General shall enter upon the duties of their several offices when they shall have been declared duly elected by said State board of supervisors and shall have duly qualified. All such officers shall qualify and enter upon the duties of their offices within fifteen days after they have been duly notified of their election.

Sec. 21. Upon the qualification of the officers elected at said election, the present incumbents of the offices for which the election is held shall vacate the same and turn over to the officers thus elected and qualified all books, papers, records, monies and documents belonging or pertaining to said offices by them respectively held.

Sec. 22. The first session of the General Assembly under this Constitution shall commence on the first Thursday after the 2nd Monday in November 1874.

Sec. 23. The County Court provided for in this Constitution shall be regarded as a continuation of the board of Supervisors now existing by law and the Circuit Courts shall be regarded in law as a continuation of the criminal Courts wherever the same may have existed in their respective Counties; and the Probate Courts shall be regarded as continuations of the Circuit Courts for the business within the jurisdiction of such Probate Courts and the papers and pertaining to said Courts and jurisdictions shall be transferred accordingly; and no suit or prosecution of any kind shall abate because of any change made in this Constitution.

Sec. 24. All officers now in office whose offices are not abolished by this Constitution shall continue in office and discharge the duties imposed on them by law until their successors are elected and qualified under this Constitution, the office of Commissioner of State lands shall be continued under the existing laws, provided that the General Assembly at its next session may abolish or continue the same in such manner as may be prescribed by law;

Sec. 25. Any election officer appointed under the provisions of this schedule who shall fraudulently and corruptly permit any person to vote illegally or refuse the vote of any qualified elector cast up or make a false return of said election shall be deemed guilty of a felony and on conviction thereof shall be imprisoned in the Penetentiary not less than five years nor more than ten years. And any person who shall vote when not a qualified elector or vote more than once, or bribe any person to vote contrary to his wishes or intimidate or prevent any

election by threats menace or promise from voting shall be deemed guilty of a felony and upon conviction thereof shall be imprisoned in the Penetentiary not less than one nor more than five years.

The report of the Committee was received and laid on the Table, and on motion 200 copies ordered printed.

Mr Leiper, of Dallas moved a suspension of the rules that he might be permitted to introduce a resolution

which was not agreed to

The President laid before the Convention the following communication, which

On motion of Mr Rector of Garland was referred to the Committee on Agriculture, Mining and Manufacturing.

St Louis August 29th 1874.

Hon. Granderson. J. Boynton.
President Arkansas Constitutional Convention -

Dear Genral

If the Convention has not yet taken any action with regard to the exemption of Mines, Furnaces, and industrial enterprises from taxation for a term of years, say eight, I would respectfully state that there are parties at this moment in this city and elsewhere calmly awaiting the action of the Convention on this question. The choice lies between Colorado, Texas and Utah as against Arkansas. Your State is preferred above the others, and if put on a footing with others in the particular of exemption, this preference will draw

hundreds of thousands of dollars of capital as well as the skill and enterprise that will accompany it. Trusting in the wisdom of the Convention I remain

Very truly Yours
Joseph E. Ware

Mr Flanagin Chairman of the committee on judiciary made the following report-

The hour of ten o'clock having arrived the President announced the special order of the day being the Ordinance exempting capital stock invested in manufacturing

On motion of Mr Williams of Jefferson the special order of the day was postponed for one hour

The report of the committee on judiciary on motion of Mr Baldwin was postponed until 10 o'clock this evening

The ordinance exempting Capital from Taxation on motion of Mr Thomason of Washington was referred to a Special Committee of five.

The president announced as such Committee.

Mssrs Hughes, Upshaw of white Thomason of Washington Leiper and Lake.

On motion of Mr Scott of Pope Chairman of the committee on Journal. The committee was excused to permit them to proceed with their special duties.

Mr Parrott of St Francis was added to said Committee.

The ordinance extending the time for redeeming forfeited lands was taken up

Mr Kilgore moved to amend the 3d section as follows.

Sec 3. When any person being entitled to redeem lands under this ordinance shall deem the taxes charged on account of the lands having been assessed at too great a value he may apply by petition to the county court of the county in which such lands are situated and the court shall hear proof as to the value thereof, at the time of the assessment of such taxes, and the court shall certify of record the value according to such proof. and upon the presentation of a certified copy of such record to the auditor of the proper office he shall if the assessed value thereof be more than fifty per cent greater than the real value as so proved. allow the party or parties to redeem the same. by paying such tax and costs as would have accrued upon such true value.

Upon which amendment the ayes and noes were called for. and the call sustained.

The secretary called the roll and the following named members rolled in the affirmation.

Anderson of Lee Anderson of Craighead
Bunch Baily Bunn Brown
Bulis Bulis. Cypert of Baxter
Cypert of White Cowell Cubler
Chism Dunaway Hoswell
Eakin Frisby Fishback. Garland
Gulley Gershwin Hinse. Hamplton.

Harrison. Hughes. Howell. Killgore
Leipsic. Lucas. Leslie. Lindsey
Lake. Mosely. Mansfield. Miller
Pendleton. Patterson Pinckney Perkins
Pulliam Ross. Rector. Reinhardt
Russell. Stanley. Scott. Smith of
Saluda. Thomason of Crawford Thomason
of Washington Thompson. Williams
of Jefferson. Williams of South River
Williams of Shark. Williams of Union
Yeadon. Yates and Mr President

Those voting in the negative were
Burke of Andependen Barnes.
Blackwell Copeland. Cagle. Davis.
Eagle. Flannagin. Jones. Rogers.
and Rutherford.

So the affirmative by.
So the negative 11.
Not voting 15
91

So the amendment was agreed to.

The ordinance was then read a third time and placed upon its final passage.

The question was put and the ordinance adopted.

On motion of Mr Killgore of Columbia the vote just had was reconsidered and Mr Killgore moved to insert after the word auditor wherever it occurs. the words. " or other proper officer"

which was agreed to and the ordinance refered to a Special Committee of Three.

The President announced as such committee Mssrs Reeder. Gillespie + Hawkins.

Mr Pribbenow moved a suspension of the rules introduced the following resolution.

"Resolved that no ordinance shall be introduced to the consideration of this convention until after the Constitution and schedule shall have been perfected"

The special order of the day for 10 o'clock A.M. that is to day the motion to reconsider sect. 17. of the article on Civil Rights. was postponed until 10 o'clock A.M. tomorrow.

The article on miscellaneous provisions was then taken up.

The question recurred upon the motion of Mr Wheeler of Washington to reconsider the vote had upon the 11th section and to lay that section upon the table,

Which was withdrawn by Mr Wheeler on a majority vote of the convention.

Mr Dorsett of Jackson moved the following as an additional section.

Section 12. Until otherwise by law the general assembly shall be entitled to compensation for their services viz. a sum not exceeding dollars per day for every day of their sessions and to milage at a rate not exceeding cents per mile for every mile necessarily travelled in going to and returning from each session of the

general assembly. Provided that no increase of compensation or mileage shall take effect until the period for which the members of the House of Representatives then existing were elected, shall have expired.

Mr Dorsett moved to fill the blank with $4.00 per day,

Mr Offutt moved to strike $6.00

On motion of Mr Thomason of Crawford the proposed section was referred to the Committee on Schedule and Ordinances

Mr Offutt of white moved to reconsider the vote had on sec. 11.

Mr Liban moved to lay the motion made by Mr Offutt to reconsider upon the table.

Upon which the ayes and noes were called for and ordered.

The roll was called and the following named members voted in the affirmative.

Anderson of Lee Anderson of Conway
Branch. Burnes. Blackwell Bates
Brown Copeland Cunningham
Curtis, Carroll Cabler Curtis.
Dawns Dunaway Fishback Gibson.
Gordwin Howell. Jones. Kelley
Leiper Lucas. Lindsey Lake.
O. Sullivan. Pattison. Perkins. Pullium
Rector. Smith of Lafayette Powers.
Thomason of Washington & Walker.

Those voting in the negative

Butler of Independence. Bailey Bunn
Brown. Cypert of Boyette. Cypert of White
Crowley Eagle. Elkins. Foswell Eakin
Eagle. Flanagin Frierson. Garland
Gordon Grace Hampton Hanson
Horner. Hughes. Hawkins. Hanna
Hillgore Mosely Mansfield Murphy
Miller River. Pruitney. Parnell
Rogers. Ross. Rutherford Reinhardt
Lincoln. Stanley. Smith of Pulaski
Thomason of Crawford. Thompson
Williams of Jefferson. Williams of Little
River. Williams of Izard. Williams of
Union. & Mr President.

In the affirmation -33.
In the negative. 44
Not voting. 14
91.

So the motion to table was lost.

The question recurred upon the
motion to reconsider.

The ayes and noes were ordered.

The roll was called and the following
named members voted in the affirmative
Butler of Independence. Bailey Bunn
Brown. Cypert of Boyette. Cypert of White
Crowley Eagle. Elkins Foswell
Eakin Eagle. Flanagin Frierson
Garland Gordon Grace Hampton
Hanson Horner Hughes Hawkins
Hanna Howell Hillgore Lake
Mosely Mansfield Murphy Miller
Niven Pruitney. Parnell Rogers.
Ross. Rutherford Lincoln Stanley
Smith of Pulaski Thomason of Crawford
Thomason of Washington Thompson
Williams of Jefferson Williams of Little
River. Williams of Izard. Williams of

of Union. and the President.

Those voting in the negative were.
Mr Chrisman of Bridgehead
Bunch. Burnes. Blackwell Bates.
Brown. Copeland. Cunningham.
Austin. Carroll. Cable. Carter.
Downs. Dunaway, Fishback Gibson
Jones. Kelley. Leiper Lucas.
Lindsey Opendriver. Patterson
Perkins. Pulliam Rieley. Reinhardt.
Smith of Lafayette Powers Williams of
Jefferson Walker.

In the affirmative 46.
In the negative 31
Not voting. 14
91

So the motion to reconsider was adopted.

Mr Chrisman of Crawford moved to refer that part of the section remained to a special committee.

which was carried.

The President announced as such committee

Messrs. Chrisman of Crawford
Hawkins of Ashley,
Walker of Washington
Thompson of Hardin
Cusic of Howard.

Mr Smith of Lafayette moved to amend section 11. as follows.

The aggregate amount of all appropriations made by the general assembly for any one year shall never exceed Eighty per cent of the tax levied.

for the year in which the appropriations made may be drawn from the treasury.

Mr Flanagin of Clark moved to strike out sect. 11.

Mr. Smith of Lafayette withdrew his amendment in order to take a vote on a motion to strike out.

The question was taken and the motion to strike out prevailed.

Mr Smith of Lafayette then renewed his amendment

which on being put was rejected.

Mr Barnes offered to amend as follows.

"

Amend sect 13.

Strike out in line 4, after the word sum - the words. "before the same shall become due and" and insert the word. "owing" strike out the word "twelve" and insert the word "ten" in line 5, then add to the end of sect in the words "entire before or after the same becomes due"

Mr Smith of Calvin offered as follows.

Sec 13. Strike out all after "due" in the third line and insert but such parties may agree in writing for the payment of such rate of interest not exceeding ten per cent per annum, on money due or to become due upon any contract.

Which was accepted by Mr Barnes of Pulaski

Mr Williams of Jefferson offered the following as a substitute

The legal rate of interest in this State should be six per cent but parties may contract in writing for any higher rate of interest not exceeding ten per cent and the legislature shall by suitable laws provide against the receiving of any higher rate than herein provided for

Mr Kellogg moved the previous question

The call was sustained and the previous question ordered

The question was then taken and the substitute lost.

Mr Cypert offered the following amendment- "And all contracts for the payment of a greater amount of interest shall be usurious and void

The Convention then took a recess until 4 o'clock P. M.

After the Recess.

The Convention met at 4 o'clock P. M.

A quorum present

On motion of Mr Williams the report of Judiciary set for 4 o'clock P. M. was postponed until to-morrow morning.

The President laid before the Convention the following Communication which on motion of Mr Eakin was laid on the table subject to call -

Little Rock, Ark
Sept 2nd 1874.

To the Honorable President and Members of the

Constitutional Convention of the State of Arkansas, now in session in the city of Little Rock.

Gentlemen: On the 29th ult. your honorable body adopted the preamble and resolutions previously introduced by Hon. C. F. Smith of Lafayette County, and of which the following is a copy:

"Whereas, Section 152. of the revenue law of the State provides that a tax of seven and one-half mills on the dollar, shall be levied on all taxable property in the State for defraying the general expenses of the State: and,

"Whereas, Said section further provides that whenever in the opinion of the Governor, Auditor and Treasurer of State, or a majority of said officers, a lower rate of taxation than that specified, will raise a sufficient amount of revenue to defray the expenses of the State, they may make such reduction as the interest of the State will permit: and

"Whereas, It is the earnest desire of this Convention to relieve the people from all taxes that are not absolutely necessary to carry on the State government on the most economical basis until they are relieved from their present impoverished and suffering condition, caused by the long protracted drought and the stringency of the money market; therefore be it

"Resolved, By the delegates of the people in Convention assembled that the Governor, Auditor and Treasurer be, and they are hereby earnestly requested to reduce the tax at least five mills on the dollar, for the present year, and to notify the clerks of the several counties at once of such reduction.

"Resolved, That the boards of supervisors of the several counties be, and they are hereby requested to dispense with the levying of any tax for this year, that can possibly be omitted without serious detriment to the interests of the County.

"Resolved, That the secretary of the Convention be directed to furnish the officers herein named with a copy of these resolutions."

In accordance with the request of this made the Governor Auditor and Treasurer, of State met on the first inst

to consider the matter in question, and after deleberation, adjourned until to-day.

We are of course not advised whether it was because it considered itself as lacking the necessary power, or what else may have been the reason, why the Convention did not by an ordinance of its own directly supply the remedy so much desired on all hands in this matter. As it has not done so, however, but has called our attention to the subject with the request that we should act in the premises, we shall, as soon, and as far as we can, cheerfully comply with the request of your honorable body. Even in the absence of such request the question of a reduction of rates would have in due time engaged our attention.

Some have doubted the validity of that section of the Revenue act referred to in the resolution holding that it seeks to confer legislative powers upon executive officers, and is therefore inoperative. For this reason and in order to avoid the possibility of confusion in our revenue and litigation in the future, we respectfully submit that if the Convention finds itself possessed of the powers it should by ordinance directly relieve the people, as far as may be consistent with the preservation of government, rather than risk the doubtful remedy contemplated by Gov. Smith's resolution. Again, it is generally conceded that if the new constitution is satisfied the legislature will be immediately thereafter assembled and as the tax books under existing laws do not necessarily go into the collector's hands until the 1st of December, it is submitted that there is ample time for legislative action, unless the very lamentable and unmerited calamity of the rejection of the Constitution should occur in that event it would unquestionably become our duty to hasten our action

to the extent of our powers under the section of the revenue act in question.

We furthermore respectfully submit that not being advised exactly, when your honorable body contemplates finishing its labors and adjourning, we find it clearly beyond all possibility for us to determine the expenses of government and consequently impossible to form an opinion as to what will be "a sufficient amount of revenue to defray the expenses of the State" Without that data, and without being able to form such "opinion" we would have no authority at all to take any action whatever under the law in question. We invite attention to the language of the section referred to, that we may be the more clearly understood upon this point:

We have deemed it due to the convention that this communication should be made to it, to the end that it might know that its resolution had not been unheeded by us, and as conveying from us to you, the assembled representatives of the people, the assurance that if you find yourselves without the power to act directly upon this matter, and it is ascertained that we, upon the other hand, do clearly possess such power, and the delay of awaiting legislative action threatens disaster to the tax-payers, we shall go as far as it is possible for us to do in giving them relief; as you have desired.

We are, very respectfully, your obedient servants, etc.

Elisha Baxter, Governor.
J. C. Berry, Auditor
R. C. Newton, Treasurer

Mr Thomason chairman of the Special Committee to whom was referred the matter touching salaries of State Officers made the following report—

Provided, that the salaries of the respective officers herein mentioned shall never exceed per annum For Governor the sum of $4000.00

For Secretary of State the sum of $ 2500 00
" Treasurer of State the sum of $ 3000 00
" Auditor of State the sum of $ 3000 00
" Attorney General the sum of $ 2500 00
" Commissioner of State Lands the sum of $ 2500 00
" Judges of the Supreme Court each the sum of $ 4000, 00

For Judges of the Circuit and Chancery Courts the sum of $ 3000 00
For Prosecuting Attorney the sum of $ 400 00

And provided further that the General Assembly shall provide for no increase of salaries of its own members which shall take effect before the meeting of the next General Assembly

For the period of Two years from the adoption of this Constitution, and until otherwise provided by law; the respective Officers herein enumerated shall receive for their salaries the following salaries per annum -
For Governor the sum of $ 3500 00
" Secretary of State the sum of $ 2000 00
" The Treasurer of State " " " $ 2500 00
" Auditor of State " " " $ 2500 00
" Attorney - General " " " $ 2000 00
" Commissioner of State Lands " " " $ 2000 00
" Judges of the Supreme Court each " " " $ 3500 00
" " " " Circuit & Chancery Courts " " $ 2500 00
" Prosecuting Attorney the sum of $ 700 00

For members of the General Assembly the sum of $ 6 00 per day, and twenty cents per mile for each mile traveled in going to and returning from the seat of Government over the most direct and practicable route.

Mr Fishback moved to take up that

part of the part intended for the Miscellaneous Provisions

which was carried.

Mr Fishback moved to amend the blank for office of Governor by inserting $ 3000.

The ayes and noes were called for and ordered

The roll was called and the following named members voted in the affirmative

Branch.	Bailey.	Barnes.	Blackwell.
Copeland.	Cunningham.	Carroll.	Cabler.
Carter.	Downs.	Dunaway.	Eagle.
Fishback	Gibson.	Harrison	Howell.
Kelly.	Lucas.	Lindsey.	Lake.
Patterson.	Perkins.	Pulliam.	Proctor
Scott.	Sorrels.		

Those voting in the negative were

Anderson, of Lee.	Anderson, of Craighead.		
Butler, of Independence.	Brown.	Brown.	Bowen
Bryant, of	Baxter.	Bryant, of White	Crowley.
Easter.	Eagle.	Elkins.	Doswell.
Eatin	Emerson.	Fogleman.	Gulley.
Goodwin.	Howell.	Hampton	Horton.
Hughes.	Hawkins.	Hanna	Killgore
Kinsworthy.	Leiper.	Mosley.	Mansfield
Mayberry.	Miller.	Niven.	Pumphrey.
Parrott	Rogers.	Rose.	Reinhardt
Smoot	Stanley	Smith of	Saline.
Thomason, of	Crawford.	Thomason of	Washington
Thompson.	Williams of	Jefferson	Williams, of
Little River.	Williams of	Sharp.	Williams, of
Union.	Walker	Mr	President

In the affirmative	27
In the negative	49
Not voting	15
	91

So the amendement was not agreed to

Mr Thompson moved that the bill be adopted as it stands, and that question be moved that previous question.

The previous question was ordered —

The ayes and noes were ordered on the main question

The roll was called and the following named members voted in the affirmative.

Anderson, J	Lee.	Anderson, J	Craighead
Branch.	Brinn.	Brown.	Bowen
Cypert, J	Bayles.	Cypert, J	Abbott.
Custer.	Carroll.	Cagle.	Chiles
Doswell.	Eakin.	Frierson.	Gulley.
Goodwin.	Howe.	Hampton.	Horton
Hughes.	Hawkins.	Hanna.	Fellgon,
Kinsworthy	Leiper.	Mosley.	Mansfield
Murphy.	Miller.	Rives.	Pumbley
Parrott.	Rogers.	Ross	Reinhardt-
Snoots	Stanley.	Smith- J	Saline
Thomason, J	Crawford.	Thomason J	Washington
Thompson.	Williams J	Jefferson-	Williams J
Little River.	Williams	J Sharp	Williams J
Knox)	Walker	Pitts &	Mr President

Those voting in the negative were —

Baker J Independence.		Bailey.	Barnes.
Blackwell.	Bates.	Copeland.	Cunningham
Crowley.	Cables.	Carter.	Dorris.
Dunaway.	Eagle.	Fishback-	Gibson
Harrison.	Howell.	Kelly.	Lucas.
Lindsey.	Lake	Patterson.	Perkins
Pulliam.	Taylor.	Scott- &	Sorrels

In the affirmative 49.
In the negative 27
Not voting 15
91

So the motion was adopted.

Mr Brown of Clayton moved that the report of the Committee be adopted and upon which motion

Mr Brown moved the previous

The call of the previous question was sustained and ordered

The ayes and noes were ordered on the main question

The roll was called and the following named members voted in the affirmative.

Anderson, J Lee.	Anderson, J Craighead	Brown	
Brown,	Bowen.	Cypert- J White	Custer
Carroll.	Cagle.	Chism	Dowell. Eakin
Frierson	Galley.	Goodwin.	Horne. Hampton.
Hannon.	Hawkins.	Hanna.	Killgore Kenworthy
Mosley.	Mansfield.	Murphy.	Miller Niven
Quinteny.	Parrott.	Rogers.	Ross, Reinhardt
Smoot	Stanley.	Thomason, J Crawford	
Thomason, J	Washington.	Thompson,	Williams J
Jefferson.	Williams, J	Little River.	Williams, J
Sharp.	Williams, J	Union.	Walker &
Mr President			

Those voting in the negative were -

Bench.	Butler, J Independence.	Bailey.
Barnes.	Blackwell.	Baker. Cypert, J Baxter
Copeland.	Cunningham.	Crowley. Cotter.
Carter.	Dowell.	Dennaway. Eagle.
Fishback.	Gibson.	Harrison. Howell.
Kelly.	Leiper.	Lucas. Lindsey.
Luke.	Patterson.	Perkins Pullium
Rector.	Scott- 8	Sorrels.
In the affirmative	44	
In the negative	30	
Not voting	17	
	91	

So the motion was agreed to and the report of the Committee adopted.

Mess Sowels & Harrison sent to the Secretarys desk the following explanation of their vote—
Mr President—

The vote we became we believe the limits of salaries fixed are no better than those fixed under the Constitution of 1868. and the people expressly instructed us to reduce the present high salaries of State officers

The question before the Convention was the amendment offered by Mr Cypert to exhibit to the Amendment offered by Mr Barnes—

The question was taken and the amendment to the amendment was agreed to —

Mr Eagle asked for division of the question and moved to strike out 12 per cent and insert 10.

The question was taken and the amendment was agreed to —

Mr Barnes moved further to amend by adding the words to the extent of the interest—"

which on being put was not agreed to —

Mr Flanagin, of Clark, offered the following as a substitute—

Sec 13. All contracts for a greater amount of interest than ten per centum per annum shall be void and the General Assembly shall prohibit the same by law.

Upon which the previous question was ordered.

The ayes and noes were ordered on the main question -

The roll was called and the following named members voted in the affirmative -

Anderson, J Lee.	Anderson J Craighead		
Branch.	Bailey.	Barron.	Blackwell.
Brown.	Bates.	Bowen.	Cunningham
Crowley.	Carroll.	Cabler.	Carter.
Downs.	Dunaway.	Eakin.	Eagle.
Flanagin.	Fishback.	Gulley.	Goodwin.
Hampton.	Horton.	Hawkins.	Hanna.
Kilgore.	Kelly.	Leiper.	Lucas.
Lindsey.	Lake.	Mosley.	Miller
Nixon.	Patterson.	Perkins	Parrott
Rogers.	Ross.	Reinhardt	Snoots
Smith J Lafayette.	Smith J Saline.		
Thompson.	Williams J	Shark.	
& Mr President)			

Those voting in the negative were -

Butler J Independence.	Barnes.	Cypert J Boone	
Cypert J White.	Copeland.	Crosby.	Cagle.
Chism.	Doswell.	Gibson.	Harrison.
Howell.	Kinnerworthy.	Mansfield	Murphy
Rumley.	Pilliam.	Rector.	Southerland
Stanley.	Scott	Thomason, J Crawford.	
Thomason J	Washington	Williams J Jefferson	
Williams J	Union &	Walker.	

In the affirmative	47
In the negative	26
Not voting	18
	91

So the substitute was adopted.

Mr Thomason, J Washington moved further to amend - "but where no rate of interest is -

agreed upon the Rate shall be six pence per centum per annum.

Which on being put was adopted -

The question then recurred upon the adoption of the Substitute as amended

Which on being put was agreed to -

Mr Eagle of Hempstead moved to strike out the substitute as amended

Upon which the previous question was ordered

The ayes and noes were called on the main question

The roll was called and the following named members voted in the affirmative

Anderson, J Leo.	Butler J	Independence	
Cabler.	Downs.	Doswell.	Eakin.
Hooper.	Killgore.	Kelly.	Rogers.
Rutherford. & Smoot.			

Those voting in the negative were -

Anderson, J Craighead.	Bench.	Bailey.	
Brown.	Bowers.	Blackwell.	Brown.
Bates.	Bowen.	Cypert, J	Barker.
Cypert, J.	Schuh.	Copeland.	Cunningham
Crowley.	Custer.	Carroll.	Carter
Eagle.	Chrisp.	Dunaway.	Eagle
Flanagin.	Fishback.	Gibson.	Gulley.
Goodwin.	Hempton.	Harrison.	Hughes.
Hawkins	Hanna.	Howell.	Kinsworthy
Leiper.	Lucas.	Lindsey.	Lake
Mosley.	Mansfield.	Murphy.	Miller
Raven.	Patterson.	Pumbey.	Perkins
Parrott.	Pullum.	Ross	Rector

Reinhardt. Stanley. Scott. Smith of Lafayette.
Smith of Salina. Sorrells. Thomason of Crawford.
Thomason, of Washington. Thompson.
Williams, of Little River. Williams of Shark
Williams, of Union. Walker & Mr President.

In the Affirmative 12.
For the Negative 84
Not voting 15
91

So the motion to strike out was not agreed to.

Mr Bunch of Carroll moved to reconsider the vote just had on Sec, 13.

Mr Walker moved to lay the motion made by Mr Bunch upon the table.

Which on being put was carried.

Mr Barnes of Pulaski moved to strike out all after the words State in 2nd line Sec 14.

Mr Rector of Garland moved to strike out the whole section.

The ayes and noes were called for and ordered on the main question

The roll was called and the following named members voted in the Affirmative.

Anderson of Lee. Bunch. Barnes.
Downs. Eakin. Flanagin Horton.
Jones. Rector. Rutherford. Smoot
& Williams of Jefferson.

Those voting in the negative were.

Anderson of Craighead. Butler of Independence

Bailey, Brown. Blackwell. Brown, Bates
Bowen. Colyert, J Barker. Colyert, J Whit-
Copeland. Cunningham. Crowley.
Crisler. Carroll. Cabler -
Carter. Cagle. Chism. Demaray.
Dozwell. Eagle. Frierson Fishback
Gibson. Gulley. Goodwin. Hampton.
Harrison. Hughes. Hawkins. Hanna.
Howell. Killgore. Kinsworthy Leiper
Lucas. Lindsey Lake. Mosley.
Mansfield. Murphy. Miller Patterson
Pumroy. Parrott Pulliam. Rogers
Ross. Reinhardt. Stanley. Scott-
Smith J Lafayette. Smith, J Saline.
Sorels. Thomason, J Crawford. Thomason J
-Washington Thompson. Williams J Little River
Williams J Sharp. Williams, J Union
Walker & Mr President-.

In the Affirmative 12.
In the Negative 62
Not- voting 17
91

So the motion to strike out was not-agreed to

Mr Thomason, J. Crawford moved to strike out the words "in the Legislative" and insert the words "by the General Assembly"

Which was agreed to.

Mr Rector moved to strike out the Section

Upon which Mr Thomason called for the "Ayes and noes."

Which was ordered.

The Roll was called and the following named members voted in the Affirmative -

Brown. Barnes. Cabler. Carter.
Dowell. Eakin. Hanna. Jones.
Killgore Perkins Rogers. Proctor
Rutherford. Williams J Jefferson. &
Williams, J Onion.

Those voting in the negative were -

Anderson J Lee. Anderson, J Craighead.
Bunch. Butler, J Independence. Bailey
Blackwell. Brown. Bates. Bowen.
Cypert, J Baxter. Cypert, J Corbitt
Copeland. Cunningham. Crowley
Custer. Carroll. Eagle. Chisum.
Downs. Dunaway. Eagle. Flanagin
Frierson. Fishback. Gibson Gulley.
Goodwin. Harrison. Horner. Hughes.
Hawkins. Howell. Kelly. Kinsworthy
Leeper. Lucas Lindsey Lasker
Mosley. Mansfield Murphy Miller
Patterson. Pumbey. Parrott Pullam.
Ross. Reinhardt Smoot Stanley.
Scott Smith J Lafayette. Smith J
Saline) Sorrels. Thomason J Crawford
Thomason, J Washington Thompson.
Williams J Little River. Williams J Sharp
Walker & Mc President.

In the affirmative 15
In the negative 01
Not voting 15
71

So the motion to strike out was not agreed to

Mr Flanagin, J Clark moved to strike out sect 17.

Upon which the previous question was ordered. The main question was put - and lost.

Mr Stanley J Drew moved that the Convention

adjourn until to-morrow morning at 6-
o'clock.

which was not agreed to -

Mr Leiper, J Dallas offered an additional section as follows

Sec 19. The General Assembly shall provide by law for submitting the question of licence for the sale of spirituous liquors to the qualified electors of the political Townships, Wards or District in which the sale is to be made

upon which the previous question was ordered

The question was taken and the additional section was lost -

Mr Barnes, J Pulaski offered the following as a substitute for Section 19.

"It shall be the duty of the General Assembly to provide by law for the support of institutions for the education of the deaf and dumb and of the blind and also for the treatment of the insane.

which was adopted -

Mr Rector moved to amend by adding the words "the duties of" after word "on" in line one Sec 20.

Mr Thomason, J Washington moved to strike out the word "on" and insert the word "in" in line 1.

which was lost -

The question was then put on the amendment offered by Mr Rector, J Garland and not carried.

Mr Cypert, J White moved to

adjourn to 8-o'clock a m to-morrow

which was not agreed to-

Mr Barnes, of Pulaski moved to amend Sec 21 as follows-

Amend Section 21 by striking out the words seal in the second line - and also strike out all the words in the Section after the word bonds in the third line and add after the word state in the first line the words "and county".

The Convention then adjourned until to-morrow morning at 8 o'clock.

Granderson D Murphree
President pro tempore

Thomas M Norton
Secretary

Thursday.
8 o'clock a m.
September. 3rd 1874.

The Convention met-pursuant to adjournment-

The roll was called and the following named members answered to their names -

Anderson of Lee. Anderson of Craighead.
Branch. Butler of Independence. Butler of
Pulaski. Bailey. Brown. Blackwell.
Brown. Baker. Bowen. Cypert of Baxter
Cunningham. Crowley. Crosby.

Carroll. Carter. Cagle. Chrism. Downs
Dunaway. Eakin. Eagle. Frierson. Garland
Gulley. Goodwin. Howze. Hampton. Harrison
Hughes. Hawkins. Hanna. Howell. Kellgore
Kelly. Leiper. Lucas Lindsey. Lake
Mosley. Mansfield Riven. Patterson Pumroy
Perkins. Parrott Rogers. Ross. Rutherford
Reinhardt. Smoote. Stanley. Scott Sorrels.
Thomason of Crawford. Thomason, of Washington
Thompson. Williams, of Jefferson. Williams
of Little River. Williams, of Sharp. Williams of
Union) Walker. Pitt & Mc President—

Those member failing to answer to their names were

Barnes. Cypert, of White. Copeland.
Cabler. Doswell. Flanagin.
Fishback. Gibson. Hornor. Jones
Joyner. Kinsworthy Lester Murphy
Miller. O'Sullivan. Pilliam
Rector. Smith of Lafayette. Smith of Saline
Berry. Polk.

A quorum of the Convention present—

Prayer by the Chaplain

Mess. Cabler and Fishback appeared in their seats and answered to their names.

The journal of the preceding day was read and approved

Mess. Berry. Barnes Doswell. Gibson
Jones. Polk. Rector. Miller
Flanagin. Hornor. Cypert, of White—
appeared in their seats and answered to their names.

Mr. Eagle Chairman of the Committee on Engrossment made the following report—

Mr President -

Your Committee on Engrossment have examined "Article" on "Finance and Taxation" and find the same correctly engrossed.

The report of the Committee was received

The Article on Finance and Taxation was read a third time and placed on its final passage.

The roll was called and the following named members voted in the affirmative

Anderson, of Craighead. Branch. Butler of Independence. Berry. Bailey. Brown
Cypert, of Baxter. Cypert, of Cobb. Cunningham
Crowley. Crisler. Carroll. Cables. Carter
Cagle. Chism. Conaway. Eakin
Eagle. Flanagin. Frierson. Fishback
Gibson. Garland. Gulley. Goodwin
Horne. Hampton. Harrison Horton
Hughes. Hawkins Hanna. Howell
Jones. Killgore Kelly. Leiper
Lucas Lester. Lindsey Lake
Mosley. Mansfield. Murphy. Miller
Raven. Patterson. Pumphrey. Parrott
Rogers. Ross. Rector. Rutherford
Reinhardt. Smoot. Stanley. Scott
Smith of Saline. Sorrels. Thomason of Crawford
Thomason, of Washington. Thompson -
Williams, of Jefferson. Williams of Little River
Williams, of Clark. Williams, of Union
Walker Nix & Mr President.

Those voting in the negative were

Butler, of Pulaski. Barnes. Blackwell.
Downs. Dowell. & Perkins.

In the affirmative 72
In the negative 6
Not voting 13
91

So the article on Finance was adopted.

Mr Barnes of Pulaski sent to the Secretary's desk the following explanation of his vote

- I vote against the adoption of this article because the limitation placed upon the taxing power indirectly prevents the payment of the interest and principal of the public debt of the State

Mr Scott of Pope sent to the Secretary's desk the following explanation of his vote

Mr President

Believing that the limit to State Tax should not have exceeded the sum of one half per cent and that of Counties cities and towns more than one fourth of one per cent and having at all times voted and advocated the lowest possible figures but failing to carry the same shall now under protest - rather I see no alternative to reduce the same vote aye.

The Article as passed reads as follows:

"Finance and Taxation"

Sec 1. Neither the State nor any city, county town or other municipality in this State shall ever loan its credit for any purpose whatever, nor shall any county, city town or municipality ever issue any interest bearing evidences of indebtedness except such bonds as may be authorized by law to provide for and secure the payment of the present existing outstanding indebtedness and the State shall never issue any interest bearing Treasury warrants or Scrip.

Sec. 2. The General Assembly shall from

time to time provide for the payment of all just and legal debts of the State.

Sec 3. The making of profit out of public moneys or the using the same for any purpose not authorized by law by any Officer of the State, Member or Officer of the General Assembly shall be punishable as may be provided by law but part of such punishment shall be disqualification to hold Office in this State for a period of five years.

Sec 4. The General Assembly shall fix the salaries and fees of all Officers in the State and no greater salary or fee than that fixed by law, shall be paid any Officer employees or other person or at any other rate than at par value and the number and salaries of the clerks and employees of the different departments of the State shall be fixed by law.

Sec. 5. All property subject to taxation shall be taxed according to its value that value to be ascertained in such manner as the General Assembly shall direct making the same equal and uniform throughout the State. No one species of property from which a tax may be collected shall be taxed higher than another species of property of equal value: Provided, the General Assembly shall have power from time to time to tax hawkers, peddlers, ferries, exhibitions and show privileges in such manner as it may be deemed proper.

Sec 6. All laws exempting property from taxation other than as provided in this

Constitution shall be void.

Sec. 7. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party.

Sec. 8. The General Assembly shall not have power to levy state taxes for any one year to exceed in the aggregate one per cent of the assessed valuation of the property of the state for that year.

Sec. 9. No county shall levy a tax to exceed one half of one per cent for all purposes, but may levy an additional one-half of one per cent to pay indebtedness existing at the time of the ratification of this Constitution

Sec. 10. The taxes of counties, towns and cities shall only be payable in lawful currency of the United States or the orders or warrants of said counties towns or cities respectively.

Sec. 11 No tax shall be levied except in pursuance of law and every law imposing a tax shall state distinctly the object of the same and no money arising from a tax levied for one purpose shall be used for any other purpose.

Sec. 12. No money shall be paid out of the treasury until the same shall have been appropriated by law, and then only in accordance with said appropriation

Sec 13. Any citizen of any County, City or Town may institute suit in behalf of himself and all others interested to protect the inhabitants thereof against the encroachment of any illegal exactions whatever.

The article on "Miscellaneous Provisions" was then taken up.

The question recurred upon the adoption of the amendment offered by Mr Barnes, of Pulaski to section 21.

Mr Thompson, of Woodruff moved further to amend to strike out the word "seal" in the 2d & 5th line.

The previous question was called for and ordered.

The ayes and noes were called for on the main question.

The roll was called and the following named members voted in the Affirmative

Anderson, of Lee. Anderson, of Craighead.
Butler, of Pulaski. Berry. Bailey.
Barnes. Barnes. Blackwell. Brown
Bowen. Cypert of Baxter. Cypert, of White
Copeland. Crowley. Eagle. Downs.
Dunaway. Doswell. Eakin. Flanagin
Frierson. Fishback. Gibson. Goodwin
Howell. Harrison. Horton. Hawkins.
Hanna Jones Killgore. Lester Lindsey
Lake. Mosley. Murphy. Niven
Pendney. Perkins Polk Rogers.
Reed. Reinhardt Smith of Lafayette
Smith of Saline. Sorrels.
Thomason of Crawford. Thompson.
Williams of Jefferson. Williams of
Little Rock. Williams of Union.
Watt & Mr. President -

Those voting in the negative were -
Barnes. Butler of Independence
Bates. Cunningham Crisler.

Carroll. Calder. Carter. Chisum. Eagle
Garland. Gulley. Hampton. Hughes.
Howell. Leiper. Lucas. Mansfield
Miller. Patterson. Parrott. Ross.
Rutherford. Smoote. Stanley. Scott-
Thomason of Washington. Williams of Sharp.
& Walker.

In the affirmative 53.
In the negative 29
Not voting 9
91

So the amendment to the amendment was adopted -

The question then recurred upon agreeing to the amendment as amended.

The question was taken and the amendment as amended was adopted -

Mr Eakin moved to strike out Sec 21 which on being put was not agreed to -

Mr Barnes of Pulaski offered to amend Sec 22. as follows -

In 5th line add the word "all" after the word "of" and strike out the word "voting" after the word declared - and insert the words "in the State vote" - then strike out the word "adopt" in line 8 and insert the words "for the adoption of".

Upon which Mr Proctor of Garland called the previous question.

The call was sustained and the previous question ordered

The "ayes and noes"

were ordered on the main question

The roll was called and the following named members voted in the affirmative

Anderson, J Lee. Barnes. Copeland
Downs. Jones Murphy. Perkins
& Smith J. Lafayette.

Those voting in the negative were.

Anderson, J Craighead Branch. Butler J Independence)
Bailey. Brown. Blackwell.
Brown. Bates. Bowen. Bypart, J Baxter.
Bypart J White. Cunningham. Crowley.
Carter Carroll Carter Eagle Chilson
Downaway. Doswell. Eakin. Eagle. Flanagin
Frierson. Fishback Garland. Gridley.
Goodwin. House. Hampton. Harrison
Horton. Hughes. Hawkins. Hanna
Howell. Kilgore. Leiper Lucas.
Lester. Lindsey. Lake. Mosley.
Mansfield Miller. Niven O'Sullivan
Patterson. Parrott Rogers. Ross.
Rector. Rutherford Reinhardt Smoot
Stanley Scott. Smith, J Saline
Sorrels. Thomason. J Crawford. Thompson
Williams, J Jefferson Williams, J Little River
Williams, J Sharp Williams J Union
Walker. Witt & Mr President-

In the affirmative 9
In the negative 70
not voting 12
91

So the amendment was not agreed to.

Mr Fishback J Sebastian moved to reconsider the vote just had, but withdrew it.

Mr Thomason J Crawford renewed the motion to reconsider-

Mr Doswell moved to lay the motion made by Mr Thomason, & Crawford on the table

which on being put was carried -

Mr Snook moved to strike out all after the word "But" in the 8th line down to the words "and" in 9th line of Sec 22.

Mr Gillespie moved to fill the blanks in Sec 22 with "Three"

Mr Miller called the previous question

which call was sustained and the previous question ordered.

The question was then put and the amendment to the amendment adopted.

The question then recurred upon the motion to strike out -

which was not agreed to -

Mr Hawkins moved an additional section as follows -

Contested elections for Circuit Judges and Chancellors shall be determined by the Supreme Court in such manner as may be provided by law.

which on being put was lost -

Mr Fishback moved an additional section as follows;

Nothing in this Constitution shall be so construed as to prohibit local assessments for local

improvements in towns and cities in such manner as may be prescribed by law.

Mr Killgore moved to further amend as follows.

Provided, that the tax levied shall in no case exceed one per cent ad valorem for such purposes.

Which on motion of Mr Feahback was referred to a special committee of 5

Mr Bates moved the following as an additional section

That all men being or arriving at the age of fifty five years shall be exempt from paying a poll tax from and after the ratification of this Constitution

Which was put and under the operations of the previous question rejected.

Mr Scott moved to add an additional section as follows.

"All appropriations of money shall be made by specific sums and for specific purposes."

But withdrew the same before the question was put.

Mr Rector of Garland moved as an additional section the following

No officer of this State County, city or town shall receive directly nor indirectly from salary fees and perquisites more than five thousand dollars nett profits per annum - in par funds.

And any and all sums in excess of this amount shall be paid into

the State, County, city or town treasury as shall hereafter be directed by appropriate Legislation -

Upon which the previous question was called and ordered.

The ayes and noes were ordered on the main question.

The roll was called and the following named members voted in the affirmative

Anderson, J Lee.	Bunch.	Bailey.	Blackwell
Bales.	Bowen.	Capers, J	Barker.
Capers, J	Cobb-	Cunningham	Cecil
Carroll.	Cobler.	Carter.	Chism Dunaway
Eakin.	Eagle.	Fishback	Gibson.
Gilley.	Goodwin.	House.	Harrison.
Hogan.	Hanna.	Howell.	Killgore.
Kimbrough	Leiper.	Lucas.	Lester.
Lindsey	Lake.	Mosley.	Mansfield
Miller	Niven.	Patterson.	Pumney.
Parrott	Rogers	Ross.	Reeder
Rutherford	Reinhardt.	Snoots	Stanley
Smith J Lafayette.		Smith J Saline	
Steele.	Thomason, J Crawford		Thomason J
Washington,	Thompson.	Williams J Jefferson	
Williams, J Little River.		Williams, J Sharp	
Walker,	Tett & Mc President-		

Those voting in the negative were -

Anderson J Craighead	Butler, J Independence		
Butler, J Pulaski.	Brown.	Barnes.	Brown
Copeland.	Eagle.	Downs	Doswell
Frierson.		Garland.	Hughes
Hawkins.	Jones	Murphy.	O'Sullivan
Perkins.		Polk & Williams J Union	

For the affirmative	59
For the negative	20
Not voting	12
	91

So the additional section was adopted.

Mr Smith, of Lafayette, moved as an additional section as follows

When two thirds of the members elected to each branch of the General Assembly deem it necessary to call a convention to revise, amend or change this constitution, they shall recommend to the electors to vote at the next election of members of the General Assembly, for or against a convention; and if a majority of those voting at said election vote for a convention the general assembly shall at its next session, provide by law for the calling of the same. The convention shall consist of as many members as the house of representatives who shall be chosen in the same manner and shall meet within three months after their election for the purpose aforesaid No amendment or change of this constitution agreed upon by such convention shall take effect until the same has been submitted to the electors of the State and adopted by a majority of those voting for and against the same

Mr Smoote moved to lay the additional section first offered upon the table.

Upon which Mr Smith, of Lafayette called for the ayes and noes and the ayes and noes were ordered

The roll was called and the following named members voted in the affirmative

Anderson, of Lee. Anderson, of Craighead. Branch. Butler of Independence.

Bailey. Brown. Brown. Bates. Bowen.
Bynum, of Bartie.
Cunningham
Carroll. Cobler. Crowley Custer
Doswell. Eakin. Chisin. Dunaway.
Frierson. Fishback. Eagle. Flanagin
Gulley. Goodwin. Gibson. Garland
Hawkins Hanna. House. Horton
Kinsworthy Lucas. Howell. Killgore
Mosley. Miller. Lusk. Lindsey
Rogers. Ross. Nixon. Patterson
Smoot Sorrels. Parkinford. Reinhardt-
Thomason, of Washington. Thomason, of Crawford
Williams, of Little River. Thompson
Williams, of Union & Witt. Williams of Sharp.

Those voting in the negative were

Butler, of Pulaski. Barnes. Blackwell.
Copeland. Downs. Harrison. Hughes.
Jones. Leiper. Lake. Mansfield
Murphy. O'Sullivan Perkins. Parrott
Polk. Stanley. Smith of Lafayette
Smith, of Salina. Williams of Jefferson
Walker & Mr President.

In the affirmative 54
In the negative 22
Not voting 15
91

So the motion to table was carried

Mr Thomason, of Crawford sent to the Secretary's desk the following explanation of his vote — Mr President = Although that the General Assembly can provide for calling a Convention without the proposed section I therefore vote N.

Mr Bynum, of White moved as an additional section as follows — "Judges and

clerks of all popular elections shall be selected from different political parties; provided, shall be persons of such different parties qualified and residing within the township ward or precinct where such election is held.

Mr Keeler Chairman of the select Committee made the following report—

Mr President

The Select Committee to whom was referred an Ordinance "Extending the time for the redemption of forfeited Lands" having had the same under consideration beg leave to report a Substitute for the original Ordinance" - ask that the report be adopted and the Committee be discharged from further consideration of the subject—

An Ordinance extending the time for the redemption of forfeited Lands and for other purposes—

Be it Ordained by the People of the State of Arkansas in Convention assembled

Sec 1st That all lands heretofore forfeited for the non-payment of taxes which have not been sold or donated — may be redeemed by the owner until the 1st day of December A D 1875— until which time all such lands are hereby reserved from sale or donation

Sec 2. The mode of redemption shall be by application to the Clerk of the County Court as is now provided for the redemption of forfeited lands except however that any person entitled under this Ordinance to the

right of redemption may by petition filed with the County court where the lands proposed to be redeemed are situate set forth in said petition and sustain the same by proof, that the assessment of said lands was in excess of the true value of the same - whire upon the court shall certify of record the value according to such proof, and upon the presentation of the certified copy of such record to the Clerk of the circuit Court of such county the party applying shall be entitled to redeem the lands applied for at the value found by the County court - with such costs and Carges as would have accrued upon the true value.

The report of the committee was received and the ordinance laid upon the table under a standing resolution of the Convention

Mr Killgore Chairman of select committee submitted the following report -

Mr President

The special committee to whom was referred the proposed Ordinance to provide for the payment of the clerk hire and Contingent expenses of the several offices of the State departments have considered the same and beg leave to submit the following report to the Convention

The Committee does not deem it expedient to make any efforts to provide for the payment of said clerk hire and contingent expenses by Ordinance The legislature of this State will soon assemble and will be competent to settle the whole matter and of the authority of which there can be no question

Therefore we recommend that the

heads of the different departments of State be advised and directed to make the best arrangements possible, under existing laws for the payment of clerk hire and contingent expenses of their several departments until the next meeting of the General Assembly and that the ordinance of 13th of August 1864 upon this subject be rescinded save that portion thereof which limits the number and class of clerks to be employed in each office.

D. L Killgore
B. F. Walker
Charles Bowen
Special Committee.

The report of the Committee was adopted and the Committee discharged.

Mr Killgore Chairman of the Select-Committee made the following report -

Mr President

The Special Committee to which a resolution proposing to suspend the deaf Mute Institute for a period of two years, &c, was referred, beg leave to return the same and ask to be discharged from the further consideration of the matter

1st - For want of sufficient time for thorough investigation into the facts of the case -

2nds Because the Legislature soon to convene will be fully competent to do every thing necessary to be done in the premises

D. L Killgore
B F Walker
Charles Bowen
Special Committee.

The report of the Committee was received.

adopted and the Committee discharged -

The Article on Miscellaneous Provisions was again taken up

The question recurred upon the adoption of the additional section offered by Mr - Cypert, of White

The foregoing question was ordered.

The ayes and noes were ordered on the main question

The roll was called and the following named members voted on the affirmative

Berther, of Pulaski. Barnes. Blackwell.
Cypert, of White. Copeland. Downs.
Fishback. Gibson. Goodwin. Harrison
Horner. Jones. Murphy. Niven
O'Sullivan. Patterson. Rainey. Rankin
Reinhardt. Scott. Smith, of Lafayette
Smith, of Saline. Thomason of Crawford
Thomason, of Washington & Williams of Jefferson

Those voting in the negative were -

Anderson, of Craighead. Branch. Butler of Independence
Bailey. Brown. Brown. Baker
Bowen. Cypert, of Carter. Barker. Cunningham
Crowley. Carter. Carroll. Cables
Carter. Eagle. Chrisman. Dinsmore
Dorsett. Eakin. Eagle. Flanagin
Frierson. Garland. Gentry. Hampton
Hawkins. Howell. Killgore Kingsworthy
Leiper. Lucas. Lester Lindsey
Lake. Mosley Miller Parron
Rogers. Ross. Proctor. Rutherford
Smoot. Stanley. Sorrels. Thompson
Williams of Little River. Williams of Sharp

Williams, J Jnion, Walker. & Mr President.

In the affirmative 25.
In the negative 54
Not voting 15
91

So the additional section was rejected.

Mr Thompson J Woodruff sent to the Secretarys desk the following explanation of his vote.

I vote no because while I believe in distributing Judges and clerks of election among men of different parties, yet I think the lines of parties may become so undefinable that controversies might arise as to the politics of a judge or clerk, and I consider that the provision might be productive of much dissension and possibly litigation

Mr Doswell moved as an additional section as follows

The General Assembly shall provide by law for conducting all elections not specially provided for in this Constitution.

Which on being put was adopted.

Mr Williams, J Jefferson moved an additional section as follows—

The present seal of the State shall be and remain the seal of the State of Arkansas until otherwise provided by law and shall be kept and used as provided in this constitution.

Which was adopted.

Mr Flanagin moved as an additional section as follows— "Militia Officers, Officer

of the Public schools and notaries may be elected to fill any executive or any Judicial Office

which was adopted.

The article on Miscellaneous Provisions was then laid upon the table until reports are had from special Committee to whom a portion of said article had been referred.

On motion of Mr Williams of Jefferson the reconsideration of sec 17. of the article on Railroads was postponed until 4 o'clock this evening.

The report of the Committee on Judiciary was then taken up

The report of the Committee reads as follows

The Committee on Judiciary to whom was referred section twenty-seven (27) of the reported article on the Judiciary have had the same under Consideration and report an article for adoption -

The Committee have not been able to reconcile persons interested in the seventh circuit to the article reported and in order to avoid delay and confusion in acting on the article they return certain amendments which will change the article so as to meet the wishes of the dissatisfied parties.

The Committee submit that the chief objections to the amendments Consist in the fact that they are the creation of an additional Circuit with its expenses, while the seventh Circuit is not too large as originally reported -

Should the Convention determine to adopt the amendments the article will be compleated

Mr Williams of Jefferson, moved to adopt that portion of the report creating eleven Circuits

The question was taken and the report adopted.

The Convention then took a recess until 4 o'clock P.M.

After the Recess.

The Convention met at 4 o'clock P.M.

A quorum present

The President announced as the select Committee to consider of a proposed section of the article on Miscellaneous provisions respecting the taxing power of cities and towns —

Mess Fishback. Bench. Bruce.
Walker & Thomason, of Crawford

The motion to reconsider Sec 1st article on Rail Roads was taken & ps.

The question was taken and the section reconsidered

Mr Barnes moved to amend as follows — Provided that all Rail Road Companies whose Charters heretofore granted expressly exempt the road bed & vehicles, depots, warehouses and workshops from taxation for a term of years after their completion shall not have their gross earnings taxed until after the expiration of said term of years —

Mr Thompson of Woodruff moved further to amend-

Provided-that an advalorem tax and a tax on the gross income shall not be assessed at the same time.

Which on motion of Mr Cypert of White was laid upon the table

Mr Flanagin of Clark moved to strike out Section 17.

The Ayes and Noes were ordered

The roll was called and the following named Members voted in the affirmative

Mr Anderson of Lee Anderson of Craighead Butler of Independence. Bunn. Brown. Cypert of Baxter. Cypert of White. Cunningham. Crowley Custer. Carroll. Cabler. Carter. Cagle. Chism. Dunaway. Doswell Eakin Eagle Flanagin Frierson Garland Gulley Goodwin Horne Hampton Horner Hughes Hawkins Hanna Howell Kilgore Kelly Kinsworthy Leiper Lucas Lake Mosely Mansfield Miller Nivens. Perkins, Parrott Rogers Ross Rutherford Reinhardt Smoote Stanley Smith of Saline. Sorrells. Williams of Jefferson. Williams of Little River Witt and Mr President. Williams of Sharp Williams of Union.

Those voting in the Negative were

Burch. Butler of Pulaski. Bailey. Barnes. Blackwell. Bowen. Downs. Fishback Gibson Harrison. Jones Lindsey Murphy. Patterson Perkins Parrott Polk. Thomasson of Crawford. Thomasson of Washington. Thompson and Walker

In the affirmative	56
In the Negative	21
Not Voting	14 / 91

So the Section was Stricken out

Mr Fishback Chairman of a Select Committe made the following report

Section :

Nothing in this Constitution Shall be so Construed as to prohibit local assessments for local improvements in Towns and Cities under such regulations as may be prescribed by Law to be based upon the Consent of a Majority in value of the property holders owning property adjoining the locality to be affected. but such assessment Shall be ad valorem and uniform

Mr Flanagin moved to add the words "in value" after the word Majority.

Mr Smoke moved to transpose the words "as may be prescribed by Law" and insert after the word regulations.

The ayes and Noes were ordered

The roll was called and the following named Members voted in the affirmative

Anderson of Craighead. Bunch. Bailey. Bunn Blackwell. Bates Bowen. Cypert of Barber. Cypert of White. Cunningham Custer Carroll. Barber. Cage Chism. Eakin. Eagle. Flanagin. Frierson. Gibson Garland. Gulley. Hawkins. Hanna. Howell. Kilgore Kelly. Kinsworthy. Leiper Lucas Lake. Mosely Mansfield. Miller. Niven. Patterson. Parrott. Ross. Rutherford Reinhardt Smoke Stanley Smith of Saline. Sorrells. Thomason of Crawford Thomason of Washington. Thompson. Williams of Little River. Williams of Sharp. Williams of Union Walker Witt and Mr President

Those voting in the negative were

Rublu of Pulaski. Berry. Barnes Copeland Cable Downs. Dunaway Fishback. Goodwin Harrison Horner Hughes. Howell. Jones. Lindsey O'Sullivan Perkins. Polk. Smith of Lafayette. and Williams of Jefferson

In the Affirmative	53
In the Negative	20
Not voting	18) 91

So the amendment was agreed to

The question then occured upon agreeing to the amendment as amended.

The question was taken and the amendment as amended was adopted

The article on Miscellaneous Provisions was refered to the Committe on Engrossment and made a Special order for 10 Oclock A M tomorrow.

Mr Hughes Chairman of Special Committe made the following report which was laid upon the table under a Standing resolution of the Convention

To the President of the Constitutional Convention. The Special Committe to whom was refered the Separate ordinance for the Submission of the question of the Exemption of Capital invested in manufacturing and Mining from Taxation beg leave to submit the following report.

That they have had said ordinance under consideration and having made some changes therein recommend its passage as submitted herewith. and having fully reported ask to be discharged

S P Hughes
Chairman

An Ordinance
For the submission of the question of the Exemption of Capital invested in Manufacturing and Mining from taxation

Be it ordained by the People of the State of Arkansas in Convention assembled.

Section 1 That at the Election to be held for the ratification of this Constitution - the Electors shall also vote for the adoption or rejection Separately of the following clause to be included in said Constitution.

That is to say

The Cash Capital Stock, buildings, Machinery, tools and materials used in this State by individuals or incorporated Companies in the manufacture of Cotton and Woolen goods, all Kinds of agricultural machines and implements made in machine Shops, blast furnaces, rolling mills, and all the Matical and Machinery used in Mining, shall be Exempted from taxation for the peiod of ten years from the first day of January 1875 but not longer

Section 2 That the ballots cast at said Election may have written or printed on them the words "For Exemption" or "Against Exemption" and if there be a majority of the votes thus cast for Exemption the above Clause shall be a part of said Constitution and Numbered Section of Article thereof. Otherwise it shall be void and of no effect.

Hughes of Monroe
Lake of Washington
Cypert of White
Thomasson of Washington
Leiper of Dallas

The article on Schedule was then taken up.

Mr Eakin offered to amend Section 1 as follows

Add to Section 1 of Schedule "And all laws Exempting property from sale on Execution. or by decree of a Court, which were in force at the time of the adoption of the Constitution of 1868 shall remain in force with regard to Contracts made before that time."

Which Was adopted

Mr Thomasson of Crawford moved to Strike out the Words "or required to testify thereto by the Court" Commencing in the 5th line

Which was Carried

Mr Thomasson of Crawford moved to add "Commissioner of State Lands" after the words Attorney General in line 3 Section 3

Which Was adopted

Mr Thomasson of Crawford moved to Strike out the word "13th" and insert the words "20th" in the second line.

Mr Fishback moved to adjourn until 8 A'Clock AM tomorrow

Which Was not agreed to

The question then recurred upon the adoption of the amendment offered by Mr Thomasson of Crawford

Mr Dowell moved to adjourn until 8 A'Clock AM tomorrow

Which was not agreed to

The question then recurred upon the adoption

of the amendment offered by Mr Thomasson of Crawford

The ayes and noes were Called for and ordered

The roll was called and the following named Members voted in the affirmative

Anderson of Lee. Bubler of Pulaski. Berry. Barnes Cabler. Downs. Garrison. Hawkins. Jones. Murphy O'Sullivan. Patterson Polk. Stanley. Sorrels. Thomasson of Crawford. Thomasson of Washington. Williams of Jefferson and Walker

Those voting in the negative were

Anderson of Craighead. Bunch. Butler of Independence. Baily. Bunn. Blackwell. Brown. Bates Bowen. Cypert of Baxter. Cypert of White. Copeland Cunningham. Custer. Carroll. Carter. Eagle. Chism. Dunaway. Doswell. Easkin. Eagle. Flanagin. Greeson. Fishback. Garland Gulley House. Hempton. Horner. Hughes Howell. Kilgore Kelly. Kinsworthy. Leiper. Lucas. Leslie. Lindsey. Lake. Mosely Mansfield. Miller. Niven. Parrott Rogers. Ross. Rutherford. Reinhardt Smoote. Scott Smith of Lafayette. Smith of Saline. Thompson Williams of Little River. Williams of Sharp. Williams of Union. Witt and Mr President

In the affirmative	19
In the Negative	60
Not Voting	12 — 91

So the Amendment was not agreed to

The Convention then adjourned until to morrow Morning at 8 Oclock

Speedium & Negotium
President Pro Tempore

Thomas M. Huston
Secretary

Friday 8 Oclock A M

September 4th 1874

The Convention met pursuant to adjournment

The roll was called and the following named members answered to their names

Anderson of Lee. Anderson of Craighead. Bunch. Butler of Independence. Bailey. Blackwell Brown. Bates. Bowen. Cypert of Baxter. Cypert of White. Cummingham. Crowley. Cusher. Carroll Cabler. Carter. Cagle. Chism. Duncaway. Doswell Eakin. Eagle. Frierson Fishback. Gibson. Garland Gulley. Goodwin. House Hampton. Harrison Hawkins Hanna. Howell. Kilgore. Kelly Kinsworthy. Leiper Lucas. Lindsey. Mosely. Mansfield Murphy Miller. Niven. Patterson, Perkins Parrott. Pulliam. Rogers Ross. Ruther ford. Reinhardt. Smoote. Stanley. Scott. Sorrells. Thomasson of Crawford. Thomasson of Washington. Thompson Williams of Little River. Williams of Jefferson. Williams of Sharp. Williams of Union. Walker. Witt and Mr President

Those members failing to answer to their names were

Butler of Pulaski. Berry. Burns. Barnes. Copeland Downs. Dodson. Flanagin. Horner. Hughes. Jones. Joyner. Lake. O'Sullivan. Pantney. Polk Rector Smith of Lafayette and Smith of Saline.

A Quorum present

Prayer by the Chaplain

Messrs Lake. Butler of Pulaski. Murphy and Horner appeared in their seats and answered to their names

The Journal of the preceding day was read and Approved

Messrs Pumbney Polk. Barnes. Downs. Berry and Smith of Lafayette appeared in their seats and answered to their names.

On motion of Mr Cypert of White. Dr A S Huey of the State of Texas. but formerly Auditor for the State of Arkansas, was invited to the privileges of the floor

Mr Scott of Pope moved to suspend the rules that he might be permitted to introduce a resolution.

Which was not agreed to

The Article on Schedule was then taken up

Mr Smith of Lafayette moved to insert the name of "Mason W Benjamin" after the name of "Dudley & Jones" in Section 7.

Upon which the Ayes and Noes were ordered under the operation of the previous question

The roll was called and the following named Members voted in the affirmative

Butler of Pulaski. Berry. Barnes. Cypert of White Copeland. Downs. Harrison. Jones. Lucas. Murphy. Pumbney Perkins. Polk. Smith of Lafayette and Thomasson of Crawford

Those voting in the negative were

Anderson of Lee. Anderson of Craighead. Bunch Butler of Independence. Bailey Blackwell. Brown Bates. Brown. Cypert of Baxter. Cunningham Crowley Custer. Carroll. Cable. Carter. Chism Dunaway. Doswell Eakin. Flanagin. Frierson Fishback. Garland. Gulley. Goodwin. House

Hampton. Horner. Hughes. Hawkins Hanna Howell Kelly Kilgore. Kinsworthy Leiper. Lester. Lindsey. Lake Mosely. Mansfield. Miller. Niven. Patterson. Parrott Pillian. Rogers Ross. Rector. Rutherford. Reinhardt Smoke. Scott. Sorrell. Thomasson of Washington Thompson Williams of Little River. Williams of Sharp. Williams of Union. Walker. Witt and Mr President

In the affirmative 15
In the Negative 63
Not voting 13 / 91

So the motion was not agreed to

Pending the roll call Messrs Jones and Copeland appeared in their seats and answered to their names.

Mr Smith of Lafayette moved to Strike out the name of Dudley & Jones and insert the name of Mason. & Benjamin. Upon which the ayes and Noes were called for and ordered under the operation of the previous question

The roll was called and the following named Members voted in the affirmative

Anderson of Lee. Butler of Pulaski. Berry Barnes. Copeland. Downs. Harrison. Jones. Murphy. Polk Perkins and Smith of Lafayette

Those voting in the negative were

Anderson of Craighead. Bunch. Butler of Independence. Bailey. Bunn. Blackwell. Brown. Bates Bowen. Cypert of Baxter. Cypert of White. Cunningham. Crowley. Carroll. Cabler. Carter. Cagle Chism. Dunaway Doswell. Eakin Eagle. Flanagin. Fierson. Fishback. Garland Gulley. Goodwin. Horne. Hampton. Horner Hughes. Hawkins Howell Kilgore Kelley. Kinsworthy. Leiper. Lucas

Lester. Lindsey. Lake. Mosely Mansfield Miller Niven
Patterson. Parrott. Pulliam. Rogers Ross. Rector Rutherford
Reinhardt Smoke Stanley Scott Sorrells Thomasson of
Crawford. Thomasson of Washington Thompson. Williams
of Little River Williams of Sharp. Williams of Union
Walker. Witt and Mr President

In the affirmative 12
In the Negative 67
Not Voting 12/91

So the motion to Strike out was not agreed to

Mr Jones of Desha moved to Strike out the name of Dudley & Jones and insert the name of Ferd Navis

Mr Thomasson of Crawford moved to amend to insert the name of John Wassell.

Which was accepted by Mr Jones

Mr Kilgore moved the previous question which was carried.

The question was then put and the motion to Strike out was not agreed to

Mr Fishback moved that the next section be taken up and upon that motion he called the previous question.

The previous question was ordered

The question was taken and the motion was Carried

Mr Rector moved to Strike out the word "places" in 7th Line and insert "Voting precincts" in Section 11.

Mr Horner moved to add the word "Election" after word "of" in 7th Line

Which was accepted by Mr Rector

Mr Eakin moved further to amend as follows.
"Designating the boundaries within which the voters shall vote at each of said new precincts"

The hour of ten O'Clock having arrived, the President announced the Special Order of the day being the Article on Rail Roads.

On motion of Mr Scott of Pope the Consideration of the Special order of the day was postponed until after the Article on Schedule was disposed of

The question occurred upon the motion of Mr Rector of Garland

The question was taken and the Amendment was lost.

Mr Rector moved further to amend as follows

Said Board of County Election Supervisors may if necessary create additional precincts within the same townships, dividing the Territory of said township and the voters of the respective Districts shall cast their ballots in the precinct in which they reside

Upon which the previous question was ordered

The question was taken and the amendment was rejected

Mr Eagle moved to Strike out all from the word "above" in 7th line

Upon which the ayes and Noes were called for by Mr Rector of Garland

The call was sustained and the following

named members voted in the affirmative

Mess Butler of Pulaski. Blackwell. Copeland
Cunningham, Downs Eagle Flanagin. Gibson
Garland Hampton Harrison Hughes Hawkins
Jones Lucas Luidsey Lake. Murphy Niven
Patterson Pantney. Perkins Parrott Rogers Ross
Rutherford Reinhardt. Smoote Stanley Smith of
Lafayette. Sorrells Thomasson of Washington
Thompson. Williams of Jefferson Williams of
Little River. Walker and Mr President

Those Voting in the negative were

Anderson of Lee Anderson of Craighead. Bunch
Butler of Independence. Bailey Bunn Barnes
Brown Bates Bowen. Bypert of White Crowley
Carroll Cabler Carter Chism. Doswell Eakin
Frierson Fishback. Gulley Goodwin Hose Horner
Howell Kilgore Kinsworthy Leiper Lester Mosely
Miller O'Sullivan Pullium. Rector Scott Thom
asson of Crawford Williams of Sharp and
Williams of Union

In the Affirmative	38	
In the Negative	38	
Not Voting	15	91

So the motion to Strike out was not agreed to

Mr Thompson of Woodruff moved to amend
further as follows.

Provided that when any change shall be made
in Election precincts the boundaries of Each shall
be designated and the qualified Electors of Each
new precinct shall not vote in any other Elect
ion precinct.

Mr withdrew it

Mr Thomasson of Crawford moved to

reconsider the Vote just had to strike out

The question was taken and the Vote reconsidered was lost

Mr Fishback Moved an additional Section as follows

Section — That at the Election for or against the ratification of this Constitution, the Electors shall have written or printed on their ballots, in addition to the name or names of the Candidates and the Words "For Constitution" or "Against Constitution" the words "for Article — " or "Against Article — " , And the returning Officers shall certify the Vote for and against said article in the same manner that the votes for Constitution and against Constitution is required to be Certified — and if a majority of those voting at said Election, Vote for Article — said Article shall be and become a part and parcel of this Constitution with the same force and effect of any other article of said Constitution. which said article shall be as follows

Article — In justice alike to the people of Arkansas and her honest Creditors, the general Assembly shall have no power Ever to levy any tax or to make any appropriation to pay Either the principal or interest or any part thereof of the following illegal and fraudulent Bonds of Arkansas, or any part thereof, to Wit, Rail Road aid Bonds issued, or that may be hereafter issued under an act of the General Assembly of the State of Arkansas, Entitled, "An act to aid in the Construction of Rail Roads" approved July 21st A.D 1868.; Levee bonds issued under an act of the General Assembly of the State of Arkansas entitled "An act providing for the building and repairing of the public Levees of the State and for other purposes" approved March 16th A.D 1869, and the Supplemental act thereto, approved

April 12th AD 1869, and the amended act. Entitled "An act providing for the building and repairing of the public levees of this State" approved March the 23d AD 1871; and the bonds issued under an act of the General assembly of the State of Arkansas Entitled "An act to provide for the funding of the public debt of the State" approved April 6th AD 1869. and numbered from four hundred and Ninety one (491) to Eighteen hundred and Sixty. inclusive. Series of January 1st 1870 being the "funding bonds" delivered to F W Caper and Commonly Known as the "Holford Bonds" and any law or act levying such tax or making such appropriation, or authorising the same to be made shall be void.

Upon which Mr Frierson of Cross moved the previous question

The Call was sustained

Mr Fishback Called for the ayes and noes on the previous Question

The Call was sustained

The roll was Called and the following named Members voted in the affirmative

Anderson of Lee. Anderson of Craighead. Bunch Bubler of Independence Berry. Bailey Bunn Brown Blackwell Bates. Cypert of Baxter. Cypert of White Cunningham Crowley Cabler Carter Cagle Doswell Eakin Eagle Flanagan Frierson Garland Gulley Goodwin Hampton Horner Hughes Hawkins Kilgore Kelly Kinsworthy Leiper Lucas Legler Mosely Murphy Miller Niven Parrott Ross Rutherford Reinhardt. Smoote Smith of Saline Thompson. Williams of Sharp Williams of Union. and Mr President

Those voting in the negative were

Butler of Pulaski. Barnes, Bowen. Copeland
Carroll Chism Downs Dunaway Fishback
Harrison Jones Lindsey Lake Mansfield O'Sullivan
Patterson Puntney Perkins Pulliam Polk Rogers
Rector Stanley Scott Smith of Lafayette Sorrells
Thomasson of Crawford. Thomasson of Washington
Williams of Jefferson and Walker

In the affirmative 49
In the Negative 30
Not Voting 12) 91

So the previous question was ordered

The main question was then put

The Ayes and Noes were ordered

The roll was called and the following named
Members voted in the affirmative

Bailey Bates Bowen Copeland Carroll Cable
Carter Chism Dunaway Fishback Harrison
Hanna Kinsworthy Leiper Lindsey Lake Path
erson Puntney Pulliam Rector Stanley Scott
Smith of Lafayette Sorrells Thomasson of Craw
ford, Thomasson of Washington, Williams of
Jefferson and Walker

Those voting in the Negative were

Anderson of Lee Anderson of Craighead. Bunch
Butler of Independence Butler of Pulaski Berry
Bunn Barnes. Blackwell Brown Cypert of Baxter
Cypert of White Cunningham Crowley Cagle
Downs Doswell Eakin Eagle Flanagan Freeman
Garland Gulley Goodwin Hampton Horner Hughes
Hawkins Howell Jones Kilgore Kelly Lucas
Lester Mansfield Murphy Miller Irwin
O'Sullivan Perkins Parrott Polk Rogers Ross
Rutherford Reinhardt Smoke Smith of
Saline. Thompson. Williams of Sharp, Williams

of Union and Mr President

In the affirmative 28
In the Negative 51
not Voting 12 91

So the additional Section was not agreed to

Mr Williams of Union sent to the Secretarys desk the following Explanation of his vote.

I am opposed to paying any fraudulent debt against the State, but believing we should not Endanger the ratification of the Constitution by submitting new Articles With it — I vote No

Mr Howell of Johnson sent to the Secretarys desk the following Explanation.

I think the Legislature can Settle this matter and as it meets in so short a time, and as I am unwilling to make so sweeping a repudiation. I vote No.

Mr Copeland sent to the Secretarys desk the following Explanation of his vote.

Mr President — While I am opposed to general repudiation, I believe that it is just and due to the Citizens of this State who are burdened with Enormous taxation Should have the right to say whether or not they are Willing to Shoulder this Enormous and fraudulent debt. — I therefore vote Aye!

Mr Jones sent to the Secretarys desk the following Explanation of his vote

Mr President — Believing this matter of repudiation is one that belongs peculiarly to the Legislature and that they will have ample time to investigate the Entire Subject

and that justice will be done the people by said body - therefore I vote no

Mr Smith of Lafayette moved to amend as follows by inserting in 2nd line.

Shall be counted at the place of voting as soon as the polls are closed.

Which on being put was adopted

Mr Eakin moved to further amend by adding the words "Unless prevented by violence or accident".

Which was adopted

Mr Leiper moved to amend in lines 13th & 15th by adding the words, "Commissioner of State lands" after the words "Attorney General".

Which Was adopted

Mr Chism moved that the words "Treasurer of State" be inserted in the 15th line

Adopted.

Mr Kilgore gave notice that he should move to reconsider the action of the Convention had on yesterday upon the subject of Judicial Circuits as soon as he could obtain the plan for that purpose.

Mr Leiper moved to insert the words "Commissioner of State lands" after the words "Attorney General" in Section 20.

Which Was adopted

Mr Barnes moved the following as an

additional Section

The faith and credit of the State of Arkansas is pledged to the payment of all bonds issued under the provisions of an act. Entitled an act to aid in the Construction of Rail Roads. Approved July 21st 1868. of all bonds issued under the provisions of an act Entitled, an act to provide for the funding of the public debt of the State, Approved April 6th 1869. and of all bonds issued under the provisions of an act Entitled, an act providing for the building and rebuilding of the public levees of the State, Approved March 16th 1869. and all acts amendatory thereof or supplemental thereto, and the Auditor of State shall annually on the first day of September in Each and Every Year, by Computation and ascertain the amount of Money required to pay the interest on said bonds as the same become due, and to meet the principal at Maturity of the bonds, and when the amount shall be so ascertained, the Auditor of State. shall notify the County Clerks of the different Counties of the rate per cent necessary to pay said interest and create a fund Sufficient to pay the principal at the Maturity of the bonds, and the same shall be placed on the tax books of said County and Collected in the same manner as other taxes, and paid over to the State Treasurer,

Mr Smoke moved to lay the additional Section offered by Mr Barnes upon the Table

Upon which the Ayes and Noes were ordered

269

The roll was called and the following named Members voted in the affirmative.

Anderson of Lee. Anderson of Craighead

Bunch Butler of Independence. Bailey Bunn Blackwell Brown Bates Bowen Cypert of Baxter. Cypert of White Copeland Cunningham Crowley Custer Carroll Cables Carter Cagle Chism Dunaway Doswell Eakin Eagle Flanagan Frierson Fishback Gibson. Garland Gulley Goodwin Horne Hampton Harrison Horner Hughes Hawkins Hanna Howell Jones. Kilgore Kelly Kinsworthy Leiper Lucas Lester Lindsey Lake Mosley Mansfield Miller Niven Patterson Pumtney Parrott Pulliam Rogers Ross Rector Rutherford Reinhardt Smoote Stanley Scott. Smith of Saline. Sorrells Thomason of Crawford. Thomasson of Washington Thompson. Williams of Jefferson Williams of Little River. Williams of Sharp. Williams of Union. Walker Witt and Mr President.

Those voting in the negative were

Butler of Pulaski Berry. Barnes Downs Murphy O'Sullivan Perkins Polk and Smith of Lafayette

In the affirmative 77
In the Negative 9
Not voting 5) 91

So the motion to table prevailed

Mr Thomasson of Crawford sent to the Secretarys desk the following explanation of his vote.

Mr President— I vote aye to accomplish indirectly what we have refused to do directly.

Mr Flanagin moved to suspend the rules that Section 11 may be reconsidered

Which was agreed to

Mr Rector moved to reconsider the vote had on the motion of Mr Eagle to strike out

a part of Section 11.

Which on being put was carried

Mr Rector then renewed the motion to strike out.

Which was adopted

Mr Norris moved to insert the word "now" after the word "precinct" in 11th Section

But withdrew the same before the question was put.

Mr Eakin moved to add to Section 22 as follows.

"It shall be the duty of the General Assembly, at the first session to provide for the payment of all Expenses of this Convention remaining unpaid".

Which was rejected.

Mr Walker moved to Strike out from the word "Constitution" in Section 24.

Mr Leiper moved to amend as follows

Strike out all after the words "State Lands" in the 3d line and insert "Shall be filled by Election of the people at the first Election under this Constitution for two years and receive the Salary prescribed in the article on Miscellaneous Provisions of this Constitution, but shall not be allowed to use for his own benefit any fees. costs, perquisites of Office or other Compensation, said fees. Costs and perquisits of Office or other Compensation Shall be paid into the State Treasury, and said Office Shall Continue until abolished by the General Assembly

Mr Eagle Chairman of the Committee on Engrossment made the following report.

Mr President— Your Committee on Engrossment have examined article on Miscellaneous Provisions, and report the same correctly Engrossed.

The article on Miscellaneous Provisions was then read a third time and placed on its final passage

The roll was Called and the following named members voted in the affirmative.

Anderson of Lee. Anderson of Craighead Bruch Butler of Independence. Butler of Pulaski. Bailey. Bunn Blackwell Brown Bates Bowen Cypert of Baxter. Cypert of White. Copeland Cunningham. Crowley. Carroll Cabler Carter Eagle Chism Dunaway Dosswell Eaken Eagle Frierson. Gibson Garland Gulley Goodwin House Harrison Horner. Hughes Hawkins Howell Jones Kilgore Kelly. Kitsworthy Leiper Lucas Lester Lindsey Lake Mosely Mansfield Miller Niven Patterson Pumbney. Parrott Polk Pulliam Rogers Ross Rector Rutherford Rein Nash Smoote Stanley. Smith of Saline Sowells Thomasson of Crawford. Thomasson of Washington Thompson Williams of Jefferson. Williams of Little River. Williams of Sharp. Williams of Union Walker and Mr President

Those voting in the Negative were

Barnes. Downs. O'Sullivan. Perkins and Smith of Lafayette

In the affirmative	72
In the Negative	5
Not voting	14
	91

So the Article on "Miscellaneous Provisions" Was adopted.

On Motion of Mr Thomasson of Crawford moved to refer the Article on Miscellaneous Provisions to the Committee on arrangement with instructions to insert in said article the provision refering to the Office of Commissioner of State Lands.

Which Was Carried

The Convention then took a recess until 4 O'Clock P M.

After the Recess

The Convention met at 4 O'Clock P M

A Quorum Present

Messrs Scott of Pope and Gulley of Izard were excused, being Engaged in Examining Journal.

Mr Leiper withdrew his amendment made to Section 24.

Mr Butler of Independence introduced the following additional Section.

Section 25. All Officers Elected at the Election provided for in this Schedule Shall hold their Offices for the respective periods provided for in the foregoing Constitution, and until their Successors are Elected and qualified,

The first general Election after the ratification of this Constitution Shall be held on the first Monday of September A D 1876.

Mr Dowell offered the following addit-
ional Section.

Section 26. The sum of five thousand dollars is hereby appropriated out of any Money in the Treasury not otherwise approp riated to defray the Expenses of the Election provided for in this Schedule, and the Auditor of State shall draw his warrant on the Treasury for such Expenses not Exceeding said amount on the Certificate of the State Board of Supervisors of Elections.

Which was adopted

Mr Cypert of White offered the following additional Section.

The State, until otherwise provided by law, shall be divided into the following Congressional Districts.

The Counties of Mississippi. Poinsett, Jackson, Independence, Cross, Crittenden, St Francis Woodruff, Prairie, Monroe, Phillips Arkansas Desha, Lonoke, White, Craighead Greene Clayton, Lee and Stone shall Compose the First District and Elect one Congressman.

The Counties of Jefferson, Lincoln, Drew, Chicot, Ashley, Bradley, Calhoun Dorsey Ouachita, Union, Columbia, Nevada, Lafayette Dallas, Clarke, Hot Springs and Grant shall Compose the Second District and Elect one Congressman.

The Counties of Pulaski, Perry, Saline, Pike Sevier, Little River, Hempstead Howard, Polk, Montgomery, Yell, Garland, Scott, Sarbe, Sebastian, Johnson, Crawford, Franklin and Pope shall compose the Third District and Elect one Congressman.

The counties of Randolph, Lawrence, Sharp, Fulton, Izard, Baxter, Marion, Searcy, Newton, Boone, Carroll, Madison, Washington, Benton, Faulkner, Van Buren & Conway shall compose the fourth District, and elect one Congressman.

The Congressmen shall be elected at the time this Constitution is submitted to the people for ratification or rejection

Which on motion of Mr Fishback was referred to a special committee of five

The President announced as such Committee -
Messrs - Fishback. Cypert of White. Garland.
Rector. Mansfield & Thomason of Crawford.

The section on salaries was then taken up as follows on motion of Mr Walker of Washington -

For the period of two years from the adoption of this Constitution and until otherwise provided by law, the respective Officers herein enumerated shall receive for their services the following salaries per annum

For Governor the sum of	$ 3500
" Secretary of State " " "	$ 2000
" Treasury " " " " "	$ 2500
" Auditor of " " " "	$ 2500.
" Attorney-General " "	$ 2000
" Commissioner of State - Lands the sum of	$ 2000.
For Judges of Supreme Court = - each the sum of	$ 3500.
For Judges of Circuit & Chancery - courts each the sum of -	$ 2500
For Prosecuting Attorneys each - - the sum of	$ 400 00.

For members of the General Assembly the sum of - $ 6.00 per day, and Twenty cents per mile for each mile traveled in going to and returning from the seat of Government over the most direct and practicable route.

Mr Fishback moved to lay the report of the committee on the table

Upon which Mr Gibson called for the "ayes and noes"

Which call was sustained and the ayes and noes ordered

The roll was called and the following named members voted in the Affirmative -

Bunch. Carroll. Carter. Fishback. Garland. & Rutherford. -

Those voting in the negative were -

Anderson, of Craighead. Butler, of Pulaski. Berry. Bailey.
Barnes. Blackwell. Brown. Bates. Bowen. Cypert, of
Baxter.) Cypert, of Yell. Crowley. Cables. Eagle.
Chism Downs. Dunaway. Dorwell. Eakin. Eagle.
Gibson. Goodwin. House. Hampton. Harrison, Howell
Hawkins. Jones. Killgore. Kinsworthy Leiper.
Lucas. Lester. Lindsey. Lake. Mosley.
Mansfield. Murphy. Miller. Niven Patterson
Quinney. Parrott. Pulliam Rogers. Ross.
Rector. Reinhardt Stanley. Smith, of Saline.
Sorrels. Thomason, of Crawford. Thomason, of Washington
Thompson. Williams, of Jefferson. Williams of Little River
Williams, of Sharp. Williams, of Union. Walker.
Witt & Mr President -

In the affirmative 6
In the negative 61
Not voting 24
91

So the motion to table was not agreed to -

Mr Fishback moved to amend the report by saying "for Governor the sum of $2500.

Mr Rector moved to say $3000 -

Upon which the ayes and noes were ordered.

The roll was called and the following named members voted in the affirmative

Anderson of Lee. Anderson, of Craighead. Bunch.
Barnes. Blackwell. Bates. Bowen. Cypert of Baxter
Cunningham. Calder. Carter. Chism. Downs.
Dunaway. Dowell. Eakin. Eagle. Gibson
Goodwin. Horton. Leiper. Lindsey. Mansfield.
Patterson. Parrott. Ross. & Rector.

Those voting in the negative were

Butler of Independence. Butler, of Pulaski. Berry.
Bailey. Brown. Cypert of White. Copeland.
Crowley. Carroll Eagle Flanagin. Fuerson
Fishback. Garland. House. Harrison. Hawkins.
Howell. Jones. Killgore. Kinsworthy. Lucas.
Lester. Lake. Mosley. Murphy. Miller
Rivers. Rumbery. Pilliano. Rogers. Rutherford
Reinhardt. Stanley. Smith, of Saline. Sorrels.
Thomason, of Crawford. Thomason of Washington.
Thompson. Williams of Jefferson.
Williams of Little River Williams, of Sharp. Williams of
Union, Walker. Witt & Mr President.

In the affirmative 28
In the negative 46.
Not voting 17
91

So the amendment to the amendment was not agreed to.

Mr Eakin called for a Division of the question

The question then recurred upon the motion to strike out. Upon which the "ayes and noes" were ordered.

The roll was called and the following named members voted in the affirmative

Butler of Pulaski Berry. Bailey Barnes
Bates. Copeland. Calder. Carter. Chism.
Downs. Dunaway Eagle. Fishback. Gibson.

Harrison. Howell. Jones. Kinsworthy. Leiper.
Lucas. Lindsey. Lake. Murphy. Patterson.
Pulliam. Rector. Sorrels. Williams. & Sharp.
& Witt.

Those voting in the negative were

Anderson, of Lee. Butler of Pendleton Brown. Bowen. Cypert, of Baxter
Cypert, of White. Cunningham. Carroll. Cagle.
Doswell. Eakin. Flanagin. Garland. Gardenia
House. Horton. Hawkins Killgore. Lester. -
Mosley. Mansfield. Nevin. Quinbury. Parrott.
Rogers. Ross. Rutherford. Reinhardt. Stanley
Smith, of Saline. Thomason, of Crawford. Thomason -
- of Washington. Thompson. Williams, of Jefferson.
Williams of Little River. Williams of Union
Walker & McCracken Residents.

In the affirmative 29
In the negative 41
Not voting 11
91

So the motion to strike out was lost -

Mr Fishback moved to substitute the sum of $3000 in lieu of $3500, as salaries for Supreme Judges -

Mr. Eakin called for a division of the question:

Mr Anderson moved further to amend by adopting the balance of the report of the committee as a whole.

Upon which he moved the previous question

The call was sustained and the previous question ordered -

The ayes and noes were called on the main question

The roll was called by the Secretary and the following named members voted in the affirmative

Anderson of Lee. Anderson of Craighead.
Butler, of Independence. Berry. Brown.

Brown. Bowen. Bryant, J Bayles. Bryant, J White
Crowley. Carroll. Carter. Cagle. Doswell.
Eakin. Flanagin. Garland. Goodwin. Hoover.
Hampton. Horner. Hawkins. Hillgrove. Leiper.
Leslie. Mosley. Mansfield. Miller. Rivers.
Pinkney. Parrott. Rogers. Ross. Rutherford.
Reinhardt. Stanley. Smith, J Salino. Thomason
J Crawford. Thompson. Williams J Little River
Williams, J Vinson. Walker & Mr President.

Those voting in the negative were -

Bunch. Butler, J Pulaski. Bailey. Barnes.
Blackwell. Bales. Copeland. Calter. Chism.
Downs. Dunaway. Eagle. Fishback
Gibson Harrison. Howell. Jones.
Kinsworthy. Lucas. Lindsey. Lake.
Murphy. Patterson. Pulliam. Rector.
Sorels. Thomason, J Washington. Williams J -
Jefferson - Williams, J Sharp & Mr Pres.

In the Affirmative 43
In the Negative 30
Not voting 18
91

So the amendment was agreed to and the report of the Committee adopted.

The article on Schedule was then ordered engrossed and made the special order for to-morrow at 10 o'clock A.M. for third reading and final passage.

Mr Eakin then offered the following amendment to Section 19.

The Board of election Supervisors of each County shall furnish Certificates of election to the person or persons elected to the House of Representatives as soon as practicable after the results of the election has been ascertained and such Board of election supervisors en-

each County shall make a correct return of the election for Senate or Senators to the Board of election supervisors of the County first named in the Senatorial apportionment, And said Board shall furnish certificates of election to the person or persons elected as such Senator or Senators in said Senatorial district as soon as practicable.
Which was adopted.

Mr Eagle Chairman of the Committee on Engrossment made the following report-

Mr President

Your committee on engrossment have examined article on "Railroads Canals and Turnpikes" and do report the same correctly engrossed.

The report of the Committee was received

The article on Railroads was then read a third time and placed on its final passage

The roll was called and the following named members voted in the affirmative

Anderson, J Lee. Anderson, J. Craighead Branch
Butler, J Independence. Bailey. Brumm. Barnes.
Blackwell. Brown. Bates. Bowen Cypert J
Baxter.) Cypert, J. White. Copeland.
Cunningham. Crowley. Carroll. Cabbon
Carter. Chism. Downs. Doswell. Eakin
Eagle. Flanagin, Fishback. Gibson.
Garland. Goodwin, Howe. Harrison
Hughes. Hawkins. Howell. Kilgore
Kelley. Kinsworthy. Lucas. Leslie.
Lake Mosley. Mansfield. Mewshy
Miller. Niven. Patterson. Pumphrey
Parrott. Pulliam. Rogers. Ross.
Rector. Rutherford. Reinhardt - Stanley
Smith, J Salins. Sowels. Thomason, J Crawford

Thomason, J Washington. Thompson.
Williams, J Jefferson. Williams, J Little River.
Williams, J Shark. Williams, J Monroe.
Walker " Witt & Mor President.

Those voting in the negative were
Butler J Pulaski & Jones, J Desha

In the Affirmative 67
In the Negative 2
Not voting 22
91

So the Article on Rail Roads, Canals and Turnpikes was adopted.

The article as passed reads as follows-

Railroads, Canals and Turnpikes

Section 1. All railroads, canals and turnpikes shall be public highways, and all railroads and canal companies shall be common carriers. Any association or corporation organized for the purpose, shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with railroads of other States.

Every rail road company shall have the right with its road to intersect, connect with or cross any other road, and shall receive transport-pack the others passengers, freight and cars loaded or empty with out delay or discrimination.

Sec. 2. Every railroads, canal and turnpike Corporation operated or partly operated in this State, shall maintain one office therein, where transfers of its stock shall be made and where its books shall be kept for inspection

by any stockholder or creditor of such corporation, in which shall be recorded the amount of capital subscribed or paid in, and the amounts owned by them respectively, the transfers of said stock and the names and places of residence of the Officers.

Sec. 3. All individuals, associations and corporations shall have equal right to have persons and property transported over railroads, canals and turnpikes; and no undue or unreasonable discrimination shall be made in charges for, or in facilities for transportation of freight or passengers within the State, or coming from or going to any other State. Persons and property transported over any railroads shall be delivered at any station, at charges not exceeding the charges for transportation of persons and property of the same class, in the same direction to any more distant station. But excursion and commutation tickets may be issued at special rates.

Sec. 4. No railroad, canal or other corporation, or the lessees, purchasers or managers of any railroad, canal or corporation, shall consolidate the stock, property or franchises of such corporation with, or lease, or purchase the works or franchises of, or in any way control any other railroad or canal corporation owning or having under its control a parallel or competing line, nor shall any officer of such railroad or canal corporation act as an officer of any other railroad or canal corporation, owning or having control of a parallel or competing

line; and the question whether railroads or canals are parallel or competing lines, shall, when demanded by the party complainant, be decided by a jury, as in other civil issues.

Sec 5. No president, director, officer, agent or employee of any railroad or canal company shall be interested directly or indirectly in the furnishing of material or supplies to such company, or in the business of transportation as a common carrier of freight or passengers over the works owned, leased, controlled or worked by such company. Nor in any arrangement which shall afford more advantageous terms or greater facilities than are offered or accorded to the public. And all contracts and arrangements in violation of this section shall be void.

Sec 6 No discrimination in charges or facilities for transportation shall be made between transportation companies and individuals, or in favor of either by abatement, drawback or otherwise; and no railroad or canal company, or any lessee, manager or employee thereof shall make any preference in furnishing cars or motive power.

Sec. 7. The General Assembly shall prevent by law the granting of free passes to any officer of this State, legislative executive or judicial

Sec. 8. The General Assembly shall not permit the forfeiture of the charter of any corporation now existing, or alter or amend the same, or pass any general or special law for the benefit of such corporation, except on the condition that such corporation shall thereafter hold its charter subject

to the provisions of this Constitution.

Sec. 9. The exercise of the right of eminent domain shall never be abridged, or so construed as to prevent the General Assembly from taking the property and franchises of incorporated companies, and subjecting them to public use — the same as the property of individuals.

Sec. 10 The General Assembly shall pass laws to correct abuses and prevent unjust discrimination, and excessive charges by railroads, canal and turnpike companies for transporting freight and passengers, and shall provide for enforcing such laws by adequate penalties and forfeitures.

Sec 11. The rolling stock, and all other movable property belonging to any railroad company or corporation in this State shall be considered personal property and shall be liable to execution and sale, in the same manner, as the personal property of individuals, and the General Assembly shall pass no law exempting any such property from execution and sale.

Sec. 12. All railroads which are now or may be hereafter built and operated either in whole or in part in this State, shall be responsible for all damages to persons and property, under such regulations as may be prescribed by the General Assembly

Sec 13. The directors of every railroad corporation shall annually make a report under oath to the Auditor of public accounts of all their acts and doings, which reports

shall include such matters relating to railroads as may be prescribed by law, and the General Assembly shall pass laws enforcing by suitable penalties the provisions of this section.

The Convention then adjourned until 8 o'clock to-morrow morning.

Granville D Shipturn
Asst Chief Clerk

Thomas W. Newton
Secretary

Saturday
8 o'clock a.m.
September 5th 1874.

The Convention met pursuant to adjournment

The roll was called and the following named members answered to their names-

Anderson, J. Lee. Anderson, J. Craighead. Bunch. Bailey. Blackwell. Brown. Bates. Bowen. Cypert- J. Baptist. Cypert-, J. White. Cunningham. Crowley. Carroll. Carter. Downs. Dunaway. Doswell. Eakin, Eagle. Flanagin. Frierson. Fishback. Gulley. Gordevin. Hampton. Harrison. Hamra. Horwell. Kellgore. Kelley. Kinsworthy Leiper. Lindsey. Lake. Mosley. Mansfield Miller. Priest. Patterson. Pumphrey. Parrott. Pulliam. Ross. Rutherford. Smoote. Stanley. Scott. Sorrels. Thomason J. Crawford. Thomason J. Washington.

Williams. of Jefferson. Williams. of Little River
Williams. of Sharp. Williams. of Union
& Mr President.

Those members failing to answer to their names were -
Butler. of Independence. Butler. of Pulaski. Berry.
Burns. Barnes. Copeland. Crusler.
Cabler. Eagle. Chrisco. Gibson
Garland. Howell. Horton. Hughes.
Hawkins. Jones. Joyner Lester.
Mayfield. O'Sullivan. Perkins. Polk.
Rogers. Rector. Reinhardt Smith of Lafayette
Smith of Saline. Thompson. Walker &
Y & M.

A quorum of the convention present
Prayer by the Chaplin
Mr Walker appeared in his seat and answered to his name.

The journal of the preceding day was then read and approved.

Mr's Chrisco. Cabler. Rector. Berry Gibson
Butler. of Pulaski. Howell. Barnes. Reinhardt
Y & M Butler. of Independence. Murphy.
Thompson. Lester. Rogers. Garland
Hughes. Hawkins Smith. of Lafayette
appeared in their seats and answered to their names.

The Convention then took up the motion to reconsider the action of the Convention relating to judicial circuits

The ayes and noes were ordered

The roll was called and the following named members voted in the affermative -
Anderson. of Craighead. Bailey. Bowen
Cypert. of Baxter Carter Chism
Dunaway. Dowell. Eakin. Frierson

Gibson. Goodwin. House. Hampton.
Hughes. Howell. Kilgore. Kennerly
Lester. Lake. Morley. Mansfield.
Niven. Patterson Pulliam. Smoote.
Williams, J. Little River. Williams, J. Union.
& Mr President.

Those voting in the negative were

Anderson J. Lee. Bunch. Butler, J. Pulaski.
Berry. Barnes. Blackwell. Brown. Bates.
Cunningham. Crowley. Carroll. Cables.
Eagle. Downs. Eagle. Flanagin. Garland.
Gulley. Harrison. Hawkins. Hanna Kelly.
Lindsey Murphy. Miller Prentiss, Parrott
Polk. Rogers. Ross. Rector. Rutherford.
Reinhardt. Stanley. Sorrels. Thomason, J. Washington.
Thompson. Williams J. Jefferson. Williams, J. Sharp
& Walker.

In the affirmative 29
In the Negative 41
Not voting 21
91

So the motion to reconsider was lost.

On motion of Mr Eagle the section on Judicial Circuits was ordered engrossed.

Mr Rector Chairman of the special committee on address made the following report.

Address to the People of the State.

Fellow-Citizens:

Your delegates in Convention assembled to frame a Constitution for the State of Arkansas now submit the result of their labors for your approval.
We commend to your favorable consideration the Constitution accompanying this address

as the fruits of the united efforts and untiring labor of a truly representative body. whose interests are identified with those of the people of the entire State.

An examination of this Constitution will show its distinguishing features — as compared with the Constitution of 1868 — to consist in submitting the election of all officers of the government to the popular vote; in diminishing the number of officers to such number as is necessary to an economical and successful administration of the government, in limiting the rate of taxation by the legislature on the assessed value of all property; in protecting the public credit, by expressly prohibiting the legislature from contracting any debt; save for certain specified purposes; and in prohibiting all local and special legislation.

It is believed the main corrective of the abuses which we have for several years past sustained will be found in that feature of the Constitution which submits all elections of civil officers to the people, thereby depriving the Executive Department of the State of the power of appointment

The necessity of free and fair elections, uncontrolled by partisan appliances, has long been felt by our people. The abuse of this right — so long held inviolable — has stifled the popular voice, given the reins of government to a faction, reduced our people to bankruptcy and impoverishment engendered interstine feuds and revolutions and disgraced our State.

The new Constitution is framed with a view of correcting these abuses by keeping as nearly as may be all power in the hands of the people, and holding their agents in office directly responsible to them — the check and aim of all popular, representative government. It is liberal in its provisions, and challenges

the admiration and support-alike of democrats and republicans, who are not biased by party feeling. It gives equal rights to all, regardless of race, or color or previous condition of servitude.
With provisions so liberal, with features so well calculated to correct the abuses of the past, and being the work of delegates chosen by a popular vote so large and overwhelming it is not surprising that the enemies of the new Constitution should despair of defeating it by an appeal to the people at the coming election upon its ratification or rejection. We have every reason to believe that, if the new Constitution is ratified by the popular vote, and the government under it inaugerated, the present numerous and gross abuses, as the result of misrule will give way, the angry feeling which has been engendered between the members of the two political parties by restless office-seekers, and disturbers of the peace will gradually disappear, and our State will assume that honorable position in the Confederacy of States for which nature has so eminently endowed her.
On the contrary, if this Constitution should be defeated or set-aside, we can no longer have reasonable grounds of hope for a restoration of local self government in Arkansas, and we forbear to contemplate the scenes which an defeat or failure would entail upon a people, already bowed to the earth with suffering and sorrow.
In conclusion we ask all regardless of party who are tired of strife and who long for a permanent restoration of peace, to unite in supporting the new Constitution that we may have in its behalf the moral

effect of the largest popular majority that is possible of attainment under the circumstances. And we urge, most earnestly, each and every one to go forward, peacefully but resolutely, to the discharge of his duty in giving the State this organic law, regardless of all promises, all ovations, and all threats from those who under the guise of friendship seek only to complete your ruin. This opportunity lost, you and your State are lost; but improved and availed of, you and your State are saved; with every promise of a future of peace and of prosperity.

H. M. Pecton,
R. K. Garland,
J. W. Butler
S. O. Hughes,
Bradley Bunch.
Committee.

The report of the Committee was received and adopted.

Mr Leiper moved that the address be published with the Constitution.

Upon which the previous question was ordered

Here Messrs Jones & Copeland appeared in their seats and answered to their names

The question then recurred upon the adoption of the motion made by Mr Leiper, of Dallas. which on being put was adopted.

Mr Flanagin Chairman of the Committee on Arrangement made the following report

The Committee on arrangements

and revision have examined the article on "Impeachment and Address" and recommend the following amendments
In Sec 1 third line after "Court-" add "S" and after "Chancellor" add "S."

The report of the committee was adopted

The committee on revision and arrangement have had the article on Finances & Taxation and do recommend the following amendments
Sec 1 line 2 strike out "outstanding"
Sec 3 line 5 insert "or" between State and member
Sec 5 line 15 after "provided" insert "further"
Sec 5 line 19 strike out taxes and insert "taxation"

All of which is submitted
H. Flanagin
Chairman

The report of the committee was adopted.

Mr Pishback chairman of Special committee made the following report

Your committee to whom was referred the section of the schedule providing for a redistricting of the Congressional Districts beg leave to report that they have considered of the question and recommend no change in the districts as now prescribed by law, other than relates to those new counties which are not now included in any district

Pishback Chairman.

Sec. nothing in this constitution and the schedule thereto attached shall be so construed as to prevent the election of Congressman at the time as now prescribed by law.

the report of the committee was adopted and on motion of Mr Pickbuck the Committee on arrangement and revision ordered to insert the section reported in the article on schedule.

Mr Kellgore introduced the following ordinance

ordinance.

Be it ordained by the constitutional Convention of the state of Arkansas.

That the counties of Lonoke and Lee be attached to, and made part of the first Congressional district.

And the counties of Dorsey and Howard be attached to, and made part of the second Congressional district.

And that the counties of Pulaski and Garland be attached to and made a part of the third Congressional District

And that the counties of Baxter and Izard be attached to, and made part of the fourth Congressional district

And that the above named Counties shall vote in the districts above named and assigned in all Congressional elections until otherwise provided by law.

And that this Ordinance take effect and be in force from and after its passage.

Mr Oglesby of white moved to place Izard County in the first district, which was adopted.

Mr Eagle moved to strike out the County of Lonoke.

which was adopted.

Mr Anderson of Lee, moved to strike out Lee County.

which was adopted.

Mr Eakin moved to add the following to section 1. of schedule.

"Until otherwise provided by law no distinction shall exist between sealed and unsealed instruments, concerning contracts between individuals, executed since the adoption of the constitution of 1868. Provided that the statutes of limitation with regard to sealed and unsealed instruments in force at that time, continue to apply upon bonds executed, until altered or repealed.

which was adopted.

On motion of Mr Kilgore the ordinance attaching certain counties to the several Congressional districts was read a third time, and placed upon its final passage.

The roll was called and the following named members voted in the affirmative

Anderson of Lee, Anderson of Craighead, Bunch. Burton of Independence. Bailey, Benn. Blackwell. Benson. Bates. Bowen. Cypert of Arnold. White. Cummings. Conley. Arnold. Dobbs. Carter. Cagle. Ellison. Dunaway. Florence. Eakin. Eagle. Flanagin. Brown. Fishback. Erskine. Gulley. Gardenhire. Hinson. Hamilton. Hanson. Hynes. Hughes. Hawkins. Harrell. Kilgore. Kinsworthy. Leiper. Lester. Lindsey. Luke. Moseley. Mansfield. Miller. Niven. Patterson. Pountney.

Parrott. Pulliam. Pack. Rogers. Ross.
Reelin. Rutherford. Reinhardt Smoote,
Stanley. Scott. Sorrells. Thomason.
of Crawford. Thomason of Washington
Thompson. Williams of Jefferson.
Williams of Little River. Williams of Wm.
Walker. Wait + Mr President.

Those voting in the negative were
Burks of Pulaski. Barnes. Copeland
Downs. Jones. Murphy. Oakleaf
Smith of Lafayette.

In the affirmative	69.
In the negative	8
Not voting	14
	91

So the ordinance was adopted.

Mr Fishback of Sebastian introduced the following resolution. which on motion laid over under the rule.

"Resolved by the people of Arkansas in convention assembled.

First. That when this convention adjourns, it shall stand adjourned until the 20th day of October A D 1874

2d. That during such interval it shall be subject to the call of either the president of this convention or the Board of the state election supervisors, that on or after the said 20th day of October, any number of members not less than twenty, with the concurrence of the President shall constitute a Quorum who shall have power to adjourn sine die: and in the event that the constitution is not ratified

that they shall adjourn from day to day until a majority of the members shall have assembled in convention,

Mr Pickback of Sebastian offered the following ordinance.

Ordinance providing for succession in event of death resignation or disability of Governor.

Be it ordained by the people of Arkansas, in Constitutional Convention assembled. That in the event of the death resignation or dis-ability of the Governor before the election and qualification of his successor under this Constitution the President of this Convention and in case of his death disability or resignation, then the secretary of this Convention shall be provisional Governor of this state, empowered to do all things that the Governor may or can do until his successor is elected under this Constitution. Shall have qualified and entered upon the discharge of his duties.

Mr Thomason moved that the ordinance be referred to the committee on judiciary upon which the ayes and noes were called for by Mr Pickback.

The call was sustained and the "ayes and noes" were ordered.

The roll was called and the following named members voted in the affirmative.

Thomason of Lee. Thomason of Craighead Branch. Bailey. Bunn Burns.

Blackwell. Bales. Bowen.
Cypert of Bates. Cypert of white
Copeland Cummings Conley
Carroll. Cable. Carter. Coyle
Downs. Dunaway Dooley Eakin
Friesen. Gibson. Gulley Goodwin
Hayes. Hansen. Hawkins
Kelley Leslie. Lindsey Lake
Mosley. Mansfield. Murphy. Miller
Norris. Patterson. Pruitt Parrott
Peek. Rogers. Ross. Rieley
Rutherford. Reinhardt Smoote
Stanley. Sorrells Thomason
of Crawford. Thomason of Washington
Thompson. Williams of Jefferson
Williams of Little River. Williams of
Union. Wilson and Mr President

Those voting in the negative were.
Bullis of Independence. Bullis of
Pulaski Berry. Brown. Chism
Fishback Gardenel. Hampton
Horner. Hughes. Howell Jones.
Kellogg Kilgworthy Leigh
Mullenix. Pulliam. Pratt
Smith Smith of Lafayette. Watt.

In the affirmative 58.
In the negative. 20.
Not voting, 13.
91.

On the motion to refer. rules David

Mr Gulley of Lynch moved a suspension of the Rules. that he might be permitted to introduce a resolution which was not agreed to.
Mr Mansfield Chairman of the Committee on Miscellaneous Provisions made the following report.

Mr President.

The committee on Miscellaneous provisions having considered an ordinance entitled an ordinance abolishing the separate Criminal Court of Phillips County, are of opinion that the object intended to be accomplished by said ordinance is sufficiently provided for, in the articles already adopted by this convention, and therefore asked to be discharged from the further consideration of the subject

The Report of the Committee was adopted.

Mr Mansfield Chairman of the Committee on Miscellaneous provisions made the following report.

Mr President. The Committee on Miscellaneous Provisions having considered an ordinance entitled "an Ordinance to abolish certain "offices;" have instructed me to report the same back to the Convention with certain amendments and recommend its adoption

Mr Smoote moved to lay the Ordinance and the amendment on the table

The ayes and noes were ordered

The roll was called and the following named members voted in the affirmation

Berry. Bailey. Cunningham.
Crowley. Cobler. Carter. Cagle.
Dowell. Hawkins. Kelly. Rogers.
Smoote. Thompson. Williams T. Jefferson

Williams of Union & Mr President.

Those voting in the negative were

Anderson of Lee. Anderson of Craighead Bench
Butler of Independence. Butler of Pulaski.
Berry. Barnes. Brown. Bales. Bowen.
Bryant of Baxter. Bryant of White. Copeland
Chism. Downs. Dunaway. Eakin.
Eagle. Ferguson. Fishback Gibson
Garland. Gulley. Goodwin. House.
Hampton. Horner. Hughes. Hanna
Howell. Jones. Kellogg. Leiper.
Lester. Lindsey Lake. Mosley.
Mansfield. Mourphy. Miller. Niven
O'Sullivan. Patterson. Pendergy. Parron.
Pulliam Ross. Rector. Rutherford
Reinhardt. Stanley. Scott. South of Lafayette
Sorrels. Thomason of Crawford. Thomason of
Washington Williams of Little River
Williams of Sharp. Walker of Polk.

For the affirmative 16
On the negative 60
not voting 15
91.

So the motion to table was not agreed to.

The question then recurred upon the adoption of the report of the committee.

Mr Rector moved to strike out Sec 1.

upon which the ayes and noes were ordered.

The roll was called and the following named members voted in the affirmative

Bench. Berry. Bailey Brown
Barnes. Bales. Bowen. Bryant of
White) Copeland. Carroll. Eagle
Dunaway Eakin. Eagle- Gibson.

Goodwin. Harrison. Lindsey. Lake
Mosley. Murphy. Niven Pennington
Lecton. Snoots. Williams, J. Jefferson
Williams, J. Union. Walker & Mr President

Those voting in the negative were

Anderson, J. Lee. Anderson, J. Craighead. Butler, J.
Independence. Butler, J. Pulaski. Blackwell
Brown. Cypert, J. Baxter. Cunningham.
Chism. Fishback Garland. Horne.
Hampton. Hughes. Hanna. Howell.
Jones. Kellgore. Leiper Lester.
Mansfield. Miller. Patterson Parrott.
Pilliam. Rogers. Ross. Rutherford
Reinhardt. Stanley. Smith, J. Lafayette.
Sorrels. Thomason, J. Crawford.
Thomason, J. Washington. Williams, J. Sharp
& Mr. M.

In the affirmative 30
In the negative 36.
Not voting 25
91

So the motion to strike out was lost-

Mr Smith, J. Lafayette moved to amend by inserting the words "Governor and"

The ayes and noes were ordered.

The roll was called and the following named members voted in the affirmative -

Butler, J. Pulaski Downs. Jones
& Smith, J. Lafayette.

Those voting in the negative were

Anderson, J. Lee. Anderson, J. Craighead
Bunch. Butler, J. Independence
Berry. Bailey. Burrow. Barnes.
Blackwell. Brown. Bales. Bowen-

Cypert, of Baxter. Cypert, of White. Cunningham
Crowley. Carroll. Cobler. Carter. Cagle.
Chism. Dynaway, Doswell. Eakin. Eagle.
Fishback, Gibson. Garland. Gordevin.
House. Hampton. Harrison. Horton.
Hughes. Hanna. Howell. Billgore
Leiper. Lester. Lindsey Lake.
Mosley. Mansfield. Murphy. Miller.
Niven. Patterson. Pumphrey Parrott.
Pulliam Rogers. Ross. Proctor.
Rutherford. Reinhardt. Smoote. Stanley
Smith, of Saline. Sorrels. Thomason of
Crawford, Thomason, of Washington. Williams of
Jefferson, Williams. of Little River. Williams of
Shark) Williams, of Union. Walker.
Witt & Mr President.

In the affirmative 4
In the negative 68
Not voting 19
91

So the amendment was not agreed to.

Mr Witt, of San-Buren offered the following amendments

The Office of Warden to the Penetentiary be and the same is hereby abolished.
The Office of Storekeeper, to the Penetentiary be and the same is hereby abolished.

which was agreed to.

The question then recurred upon the adoption of the section as amended.

The question was taken and the section adopted

Mr Fishback moved that the ordinance as amended be adopted as a whole.

Upon which the previous question was ordered

Mr Mansfield moved a reconsideration of the vote had on the previous question -

The question was taken and the motion prevailed -

Mr Thomason of Crawford gave notice that he would make a motion to reconsider the vote had, to strike out Sec 1.

Mr Eakin of the committee on Arrangement and revision made the following report -

which was adopted -

To the President and members of the Constitutional Convention -

The Committee of Revision and arrangement return engrossed bill on Miscellaneous Provisions and recommend the following corrections and additions as advisable to perfect the same - to wit;
Sec 1 In 3d line make the word "department" Jurat.
In 4th line strike out "allowed his oath" and insert "competent to testify as a witness."

Sec 3d In 1st & 2 lines, strike out "any office" In 3d line change "an" to "any" In 5th line change "elected" to "elector"

Sec. 4, Change "County townships" to the plural in the 5th line - In 6th line change "officers" to "officer"

Sec. 8. In 1st line strike out - "exercise the powers" and insert - "perform the duties".

Sec 11, In 4th line after "Court" insert "Commissioner of State lands"
In 8th line change "his official term" to

"Their respective terms"
In 17th & 18th lines strike out "as herein excepted" and insert "Prosecuting Attorneys" In the list of Salaries defined after "Circuit-courts" insert "and Chancellors."

Sec. 13. In third line after the word "void" insert as to principal and interest."

Sec. 16. In 5th line after "paupers" insert "where there are no alms-houses"

Sec. 23. In 1st line, after State insert "nor of any"

Sec 24. In 2nd line after laws strike out "for" and insert "The mode of"; also in same line strike out "all", at beginning of 3rd line insert "in cases"

Sec. 26. In last line, strike out "any"

Sec 27. In 2nd line after "prohibit" insert "the General Assembly from authorizing assessments on real property for" at or near the end strike out "effected" and insert "affected" and change "equal" to "uniform"

Mr Lippert of White was granted a leave of absence until Monday morning

Mr Eagle Chairman of the committee on Engrossment made the following report

Mr President

Your Committee on Engrossment have examined article on "Schedule" and report the same correctly engrossed.

The report of the committee was received

Mr Reeder moved a suspension of the rules that he might offer an additional

section on to the article on "Schedule"

which was not agreed to

The article on Schedule was then read a third time and placed on its final passage.

The roll was called and the following named members voted in the affirmative.

Anderson, J. Craighead Branch. Burke, J. Independence
Berry. Bailey. Brown. Blackwell. Bales
Bowen. Cypert, J. Baylis. Cunningham
Crowley. Carroll. Cable. Carter. Eagle.
Chism. Downs. Dunaway. Dorwell. Eakin
Eagle. Emerson. Gibson. Garland.
Goodwin. House. Hampton Harrison
Connor. Hughes. Hawkins Hanna
Howell. Killgore. Kelley. Kennerly
Leiper Lester. Lindsey. Lake.
Mansfield. Miller. Patterson Pumbley
Parrott Rogers. Ross. Rector
Rutherford Reinhardt Smoot Sanley.
Sorrels. Thomason, J. Washington.
Thompson. Williams, J. Little River
Williams, J. Sharp. Williams, J. Union
Walker Wells & Mr President

Those voting in the negative were

Burke, J. Pulaski, Barnes. Copeland
Fishback, Jones. Pulliam Smith J. Lafayette
& Thomason, J. Crawford.

In the affirmative 62.
In the negative 8
Not voting 21
91

So the article on Schedule was adopted and referred to the Committee on arrangement and revision under the rule.

Mr Pulliam sent to the Secretarys desk the following explanation of his vote.-

I-have-been my pride and pleasure to vote for every article of this Constitution, but with a depleted treasury a bankrupt-State and general distress prevailing all over our State caused by the failure of crops to the extent-that-this Convention deem it-proper and necessary to memorialize Congress for relief to our citizens I am unwilling to vote to our State Officers what-I believe to be large and extravagant-salaries: If our State government-cannot be run at a cheaper rate I would close the Offices and save the lives of our starving people. I vote no.

The Article as adopted reads as follows

Schedule

Sec 1. All laws now in force, which are not-in conflict-or inconsistent-with this Constitution, shall continue in force until amended or repealed by the General Assembly, and all laws exempting property from sale on execution or by decree of a court which were in force at the time of the adoption of the Constitution of 1868, shall remain in force with regard to contracts made before that time.

Sec 2. In civil actions no witness shall be excluded because he is a party to the suit or interested in the issue to be tried; Provided, That-in actions by or against executors, administrators or guardians, in which judgment-

may be rendered for or against them, neither party shall be allowed to testify against the other as to any transactions with or statements of the testator, intestate or ward, unless called to testify thereto by the opposite party, Provided further, That this section may be amended or repealed by the General Assembly.

Sec 3. An election shall be held at the several election precincts of every county in the State, on Tuesday, the 13th day of October, 1874, for Governor, Secretary of State, Auditor, Treasurer, Attorney-General Commissioner of State Lands for two years unless the office is sooner abolished by the General Assembly. Chancellor and Clerks of the separate Chancery Court of Pulaski County, Chief Justice and two Associate Justices of the Supreme Court, a Circuit Judge, and a Prosecuting Attorney for each judicial Circuit Provided Senators and Representatives of the General Assembly and all county and township officers provided for in this Constitution for in this Constitution; and also for the submission of this Constitution to the qualified electors of the State for its adoption or rejection.

Sec 4. The qualification of voters at the election to be held as provided for in this schedule shall be the same as is now prescribed by law.

Sec 5. The State Board of Supervisors hereinafter mentioned, shall give notice of said election, immediately after the adoption of this Constitution by this Convention, by proclamation in at least two newspapers published at Little Rock, and such other newspapers as they may select. And each County Board of Supervisors shall give public notice in their

respective Counties of said election immediately after their appointment.

Sec. 6. The Governor shall also issue a proclamation enjoining upon all peace officers the duty of preserving good order on the day of said election, and preventing any disturbance of the same.

Sec. 7. Augustus H. Garland, Gordon N. Peay and Dudley E. Jones are hereby constituted a State Board of Supervisors of said election who shall take an oath faithfully and impartially to discharge the duties of their office, a majority of whom shall be a quorum, and do who shall perform the duties herein assigned them. Should a vacancy occur in said Board, by refusal to serve, death, removal, resignation or otherwise, or if any member should become incapacitated from performing said duties, the remaining members of the Board shall fill the vacancy by appointment. But if all the places on said Board become vacant at the same time, the said vacancies shall be filled by the President of this Convention.

Sec. 8. Said State Board shall at once proceed to appoint a Board of Election Supervisors for each county of this State consisting of three men of known intelligence and uprightness of character, who shall take the same oath as above provided for the State Board. A majority of each board shall constitute a quorum and shall perform the duties herein assigned them and vacancies occurring in the County Board shall be filled by the State Board.

Sec. 9. The State Board shall provide the form of poll-books and each County Board shall furnish the judges of each election precinct with three copies of the poll-books in the form prescribed

and with ballot-boxes, at the expense of the county.

Sec. 10. The State Board of Supervisors shall cause to be furnished in pamphlet form a sufficient number of copies of this Constitution to supply each County Supervisor and Judge of election with a copy, and shall forward the same to the County Election Boards for distribution.

Sec. 11. The Boards of County Election Supervisors shall at once proceed to appoint three judges of election for each election precinct in their respective counties; and the judges shall appoint three election clerks for their respective precincts, all of whom shall be good, competent men, and take an oath as above prescribed: Should the judges of any election precinct fail to attend at the time and place provided by law, or decline to act, the assembled electors shall choose competent persons, in the manner provided by law, to act in their place, who shall be sworn as above.

Sec. 12. Said election shall be conducted in accordance with existing laws, except as herein provided. As the electors present themselves at the polls to vote, the judges of the election shall pass upon their qualifications, and the clerks of the election shall register their names on the poll books, if qualified; and such registration by said clerks shall be sufficient registration in conformity with the Constitution of this State, and their votes shall be taken

Sec 13 - Each elector shall have written or printed on his ticket: "For Constitution" or "Against Constitution," and also the offices and names of the candidates for the offices for whom he desires to vote.

Sec. 14. The judges shall deposit the tickets in the ballot-box; but no elector shall vote outside of the town-ship or ward in which he resides. The names of the electors shall be numbered, and the corresponding numbers shall be placed on the ballots by the judges when deposited.

Sec 15. All dram-shops and drinking houses in this State shall be closed during the day of said election, and the preceding night; and any person selling or giving away intoxicating liquors during said day or night shall be punished by fine not less than two hundred dollars for each and every offense, or imprisoned not less than six months, or both.

Sec 16. The polls shall be opened at eight o'clock in the forenoon, and shall be kept open until sunset. After the polls are closed the ballots shall be counted by the judges at the place of voting as soon as the polls are closed unless prevented by violence or accident, and the results by them certified on the poll books, and the ballots sealed up. They shall be returned to the County Board of Election Supervisors, who shall proceed to cast-up the votes and ascertain and state the number of votes cast for the Constitution, and the number cast-against the Constitution, and also the number of votes cast for each Can-didate voted for, for any office and shall forthwith forward to the State Board of Supervisors, duly certified by them, one copy of the statement or abstract of the votes so made out by them, retain one copy in their possession, and file one copy in the office of the County Clerk, other

they shall also deposit for safe-keeping the ballots sealed up, and one copy of the poll-books, retaining possession of the other copies.

Sec 17. The State Board of Supervisors shall at once proceed, on receiving such returns from the County Boards, to ascertain therefrom and state the whole number of votes given for the Constitution, and the whole number given against it; and if a majority of all the votes cast be in favor of the Constitution, they shall at once make public that fact by publication in two or more of the leading newspapers published in the City of Little Rock, and this Constitution from that date shall be in force; and they shall also make out and file in the office of Secretary of State an abstract of all the votes cast for the Constitution, and all the votes cast against it; and also an abstract of all the votes cast for every candidate voted for at the election; and file the same in the office of Secretary of State, showing the candidates elected. They shall also make out and certify, and lay before each house of the General Assembly, a list of the members elected to that house; and shall also make out certify, and deliver to the Speaker of the House of Representatives, an abstract of all votes cast at the election for any and all persons for the Office of Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney-General and Commissioner of State Lands; and the said Speaker shall cast up the votes, and announce the names of the persons elected to these offices. The Governor, Secretary of State, Auditor of State, Attorney General and Commissioner of State Lands chosen at said election shall qualify and enter upon the discharge of their respective offices within fifteen days after the announcement of their election as aforesaid.

Sec 18. All officers known to be elected by the

abstract of said election filed by the State Board of Supervisors in the office of the Secretary of State, required by this Constitution to be commissioned, shall be commissioned by the Governor.

Sec. 19. At said election the qualified voters of each County and Senatorial District, as defined in article eight of this Constitution, shall elect, respectively, Representatives and Senators according to the numbers and apportionment contained in said article. The Board of Election Supervisors of each county shall furnish certificate of election to the person or persons elected to the House of Representatives as soon as practicable after the result of the election has been ascertained, and such Board of Election Supervisors in each County shall make a correct return of the election for Senator or Senators to the Board of Election Supervisors of the county first named in the Senatorial apportionment and said Board shall furnish certificates of election to the person or persons elected as Senator or Senators in the said Senatorial District as soon as practicable.

Sec. 20. All officers elected under this Constitution with the exception of the Governor, Secretary of State, Auditor of State, Treasurer, Attorney General and Commissioner of State Lands, shall enter upon the duties of their several offices when they shall have been declared duly elected by said State Board of Supervisors, and shall have duly qualified. All such officers shall qualify and enter upon the duties of their offices within fifteen days after they have been duly notified of their election.

Sec. 21. Upon the qualification of the officers elected at said election, the present incumbents of the offices for which the election is held, shall vacate the same and turn over to the officers thus elected and qualified, all books, papers, records, moneys and documents belonging or pertaining to said offices by them respectively held.

Sec. 22. The first session of the General Assembly under

This Constitution shall commence on the first Tuesday after the second Monday in November, 1874.

Sec. 23. The County Courts provided for in this Constitution shall be regarded in law as a continuation of the Board of Supervisors now existing by law, and the Circuit Courts shall be regarded in law as continuations of the Criminal Courts where over the same may have jurisdiction in their respective counties; and the Probate Courts shall be regarded as Continuations of the Circuit Courts for the business within the jurisdiction of such Probate Courts, and the papers and records pertaining to said Courts and jurisdiction shall be transferred accordingly; and no suit or prosecution of any kind shall abate because of any change made in this Constitution.

Sec 24. All Officers now in office, whose offices are not abolished by this Convention, shall continue in office, and discharge the duties imposed on them by law, until their successors are elected and qualified under this Constitution. The office of Commissioner of State Lands shall be continued under the existing laws, provided that the General Assembly at its next session may abolish or continue the same in such manner as may be prescribed by law.

Sec. 25. Any election officer, appointed under the provisions of this schedule, who shall fraudulently and corruptly permit any person to vote illegally or refuse the vote of any qualified elector, cast up or make a false return of said election, shall be deemed guilty of a felony, and on conviction thereof, shall be imprisoned in the penitentiary not less than five years nor more than ten years. And any person who shall vote when not a qualified elector, or vote more than once, or bribe any person to vote contrary to his wishes or intimidate or prevent any elector by threats, menace, or promises from voting, shall be guilty of a felony, and upon conviction thereof shall be imprisoned in the penitentiary not-

less than one nor more than five years.
All Officers elected at the election provided for in this Schedule shall hold their Offices for the respective periods provided for in the foregoing Constitution, and until their successors are elected and qualified. The first general election after the ratification of this Constitution shall be held at the first Monday of September A D 1876.

Sec. 26. The sum of five thousand dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated to defray the expenses of the election provided for in this Schedule and the Auditor of State shall draw his warrant on the Treasurer for such expenses not exceeding said amount on the certificate of the State Board of Supervisors of Election.

Sec. 27. For the period of two years from the adoption of this Constitution and until otherwise provided by law the respective Officers herein enumerated shall receive for their services the following Salaries per annum.

For Governor, the sum of	$3500,00
For Secretary of State the sum of	$2000,00
For Treasurer of State the sum of	$2500,00
" Auditor " " " " "	$2500,00
" Attorney General the sum of	$2000,00
" Commissioner of State Lands the sum of	$2000,00
" Judges of Supreme Court each " " "	$3500,00
" Judges of Circuit and Chancery Courts " " "	$2500,00
" Prosecuting Attorneys the sum of	$1400,00/100

For members of the General Assembly the sum of six dollars per day and twenty cents per mile for each mile travelled in going to and returning from the Seat of Government over the most direct and practicable route.

Mr Eagle chairman of the Engrossment committee made the following report=

Mr President

Your committee on Engrossment have examined article on "Judicial Circuits" and report the same correctly engrossed.

The report of the Committee was received.

The article on Judicial Circuits was then read a third time and placed on its final passage.

The roll was called and the following named members voted in the affirmative.

Anderson, J. Craighead. Bench. Butler, J. Independence
Bailey. Barnes. Blackwell. Bates. Bowen.
Bryant, J. Baxter. Cunningham, Crowley.
Carroll. Cable. Carter. Cagle. Downs.
Dunaway Eakin. Eagle. Frierson. Garland.
Goodson. Howe. Harrison. Harmon. Hughes.
Hawkins. Hanna. Howell. Killgore. Kelly.
Leiper Lindsey. Lake. Miller. Patterson
Rogers. Ross. Rector. Rutherford.
Rumbardt. Smoot Stanley Sorrels.
Thomason, J. Washington. Thompson. Williams J.-
Little River. Williams J. Sharp. Walker. Witt
& Mr President.

Those voting in the negative were—

Dowell. Fishback. Gibson. Joyner Parrott.
Smith, J. Lafayette. & Williams J. Union

In the affirmative 67
In the negative 7
Not voting 23
97

So the article on Judicial Circuit was adopted and referred to the Committee on arrangement under the rule.

The Convention then took a recess until 4 o'clock P.M.

After the Recess.

The Convention met at 4 o'clock P.M.

A quorum present.

On motion of Mr Lashback the Hon David Walker of Lafayette ex President of a former Convention of this State was invited to the privileges of the floor

Mr Eakin acting chairman of the Committee on arrangement and revision made the following report

To the President and members of the Constitutional Convention

The Committee on Revision and Arrangement herewith report the article on Judicial Circuits as correct and recommend no changes therein.

The report of the Committee was adopted

To the President and members of the Constitutional Convention -

The Committee on Revision and arrangement herewith report the schedule as engrossed and recommend the following alterations

Sec 17. In 3rd line from bottom of page after "of" insert the words "the duties of"

Sec. 24. In 9th line strike out "under the existing laws"

Sec. 26. At end of section add "Nothing in this Constitution and the schedules thereto shall be so construed as to prevent the election of Congressmen at the time as now prescribed by law."

The report of the Committee was adopted

To the President and members of the Constitutional Convention.

The Committee on Revision and Arrangement herewith report the article on Salt Roads, Canals and Turnpikes and recommend"

Sec. X. After 2d line insert "by any railroad or transportation company"

The report of the Committee was adopted.

Mr Rutherford of the Committee on Memorials made the following report-

To The President of the Constitutional Convention

The Committee to whom was referred a Memorial &c, relating to the failure of crops have had the same under consideration and report- herewith a memorial which they recommend to be adopted -

As to the other relief which shall be granted they recommend that- it be referred to the next session of the legislature, It will have more time, the same powers, more information and equal good will with this body-

To the Senate and House of Representatives of the United States of America in Congress assembled -

The Constitutional Convention of the State of Arkansas represent that- the protracted drought of the present year has been such that breads stuffs not be raised in considerable sections of this Commonwealth - That persons holding property are generally in debt, and their property consists of land which is unsaleable and non productive or of credits which cannot be collected - That usually after the Spring

settlements, there is but little money left in the country and but little reaches it until crops are sold or pledged as security — That the property holders will be fortunate if they succeed in meeting their own wants and will not be able to advance to their poorer neighbors, or even to furnish them remunerative employment; the poor, even now are in some places making unsuccessful applications for labor at half the usual rates.

The State Credit is such as to exclude all possibility of assisting the poor and unless aid comes from without destitution distress and ultimate starvation must be the result in many cases.

For these reasons you are asked to cause rations to be distributed to the poor, destitute and starving in such manner as you may deem best

Done in Convention at Little Rock this fifth day of September A D 1874.

Mr Stahlbach moved to amend as follows- "Bring in a great measure to the burdonsome taxation heretofore imposed upon them."

Which on motion of Mr Gillgore of Columbia was laid on the Table.

The question then occurred upon the adoption of the ordinance.

Which on being put was rejected -

Mr Jones offered the following resolution which was read and laid on the table until Monday

"Whereas, It appears from advices from different sections of the State that great distress exists among the people here from inundation drought and other disasters unforeseen by human ken and whereas it is supposed that the

Congress of the United States to relieve in part the unfortunate condition of the suffering people did appropriate the sum of five hundred thousand dollars, to the states of Louisiana, Mississippi and Arkansas and did make the Governors of the within states the disbursing Officers thereof; therefore be it "Resolved by this Convention, That a committee of five be appointed by the President of this body to wait upon his excellency, the Governor and request of him such information as will give to this body some line of policy to relieve the suffering condition of the people."

The ordinance exempting capital stocks invested in mining and manufacturing was then taken up.

Mr Harmon moved to insert after the word furnaced the words "oils wagons & carriages"

Mr Williams moved further to amend as follows "House building material manufactured from lumber where the amount manufactured exceeds ten thousand dollars per annum in value, And manufacture of Leaf Tobacco."

The question was put and the amendment to the amendment was rejected

The question then recurred upon the amendment

The question was taken and the amendment rejected.

Mr Rogers offered to amend by adding: Manufacture of Leaf Tobacco -

which on being put was adopted.

Mr Thomason moved to amend by inserting The cash capital stock invested after the adoption of this Constitution

which on being put was adopted -

The question then recurred upon the adoption of the Ordinance

The ayes and noes were ordered on the main question.

The previous question was ordered.

The roll was called and the following named members voted in the affirmative.

Bailey. Barnes. Brown. Carroll. Downs
Fishback Gibson. House. Hughes. Hawkins
Gillgore. Hinsworthy. Leiper. Lake. Mankby.
Moren. Patterson. Rogers, Ross, Creeton. Reinhardt-
Stanley Sorrels. Thomason, J Crawford.
Thompson & Williams, J Jefferson

Those voting in the negative were -

Anderson, J Lee. Anderson, J Craighead Bench
Butler, J Independence. Butler, J Pulaski
Berry. Bruton. Blackwell. Bates.
Bowen. Cypert, J Baxter. Cunningham.
Crowley. Carroll. Carter Cagle. Chism
Dunaway. Doswell. Eakin. Eagle. Garland
Goodwin. Harrison. Horton. Hanna. Howell
Kelly. Lester. Mosley. Mansfield
Miller. Parrott. Pulliam. Rutherford
Smoot. Smith J Saline. Thomason, J Washington
Williams, J Little River. Williams, J Sharp
Williams J Union. Walker & Mr President.

In the affirmative 27
For the negative 42.
Not voting 22
91

So the Ordinance was not adopted.

The Ordinance repealing the ordinance adopted Aug 18th 1874 was taken up

Mr Thomason of Craighead moved to add the words "and pay"

The previous question was ordered on the adoption of the Ordinance

The roll was called and the following named members voted in the Affirmative

Anderson, Lee. Anderson, Craighead Bunch.
Bailey, Bunn. Barnes. Bates. Bowen.
Cypert, Barker. Crowley. Cabler. Carter.
Eagle. Downs. Dunaway. Eakin. Emerson.
Goodwin. Harrison. Hughes. Hawkins. Hanna.
Jones. Killgore Kincaid. Leiper. Lester.
Lake. Mosley. Murphy. Miller. Niven.
O'Sullivan. Parrott. Ross. Reinhardt. Stanley.
Steele. Thomason, Washington. Thompson.
Williams, Sharpe. Williams J. Union & Mr President

Those voting in the negative were
Blackwell. Chism. Eagle. Fishback.
Powell. Mansfield. Patterson. Pulliam.
Rector. Rutherford. Thomason, Crawford
& Williams, Jefferson.

In the affirmative 45
In the Negative 13.
Not voting 33
91

So the amendment was adopted.

The Ordinance adopted reads as follows -

Ordinance

Be it Ordained by the Constitutional Convention of the State of Arkansas -

That the Ordinance passed by this Convention on the 13th of August - last be and the same is hereby recommended except in so far as it relates to the number class and pay of Clerks employed in the several State departments. Killgore

which was adopted.

Mr Miller of Randolph introduced the following Ordinance which was read the first time and made the special order for 9 o'clock A M on Monday "

Be it ordained, etc.,

Section — That the President of this Convention be and he is hereby directed to appoint three citizens of intelligence and uprightness, to ascertain and report to the next legislature upon what terms money can be borrowed to pay the necessary expenses of the State government, until the out standing State Scrips can be absorbed by Lapsation, not exceeding the sum of — dollars

Sec. 2. Be it further, etc., That the sum of — dollars be and the same is hereby appropriated for the payment of any necessary expenses, which may be incurred by the members of said committee in the discharge of the duties aforesaid.

Mr Fishback introduced the following Ordinance which was laid over until Monday —

An Ordinance to provide for ascertaining and settling the amount of the public debt of Arkansas and other purposes.

Whereas, It is of very great importance to the people of Arkansas that it should be permanently settled as to what the public debt of the State is and Whereas, Our General Assembly cannot settle the question that another General Assembly may not unsettle it, therefore,

Be it ordained by the People of Arkansas in Convention assembled; That the General Assembly at its first session after ratification of this Constitution, shall submit to the qualified electors of the State at the first general election thereafter for rejection or ratification the following article to wit—

Article —

Sec. 2. In justice alike to the people of Arkansas

and to her honest creditors, The General Assembly shall have no power ever to levy any tax or to make any appropriation to pay either the principal or interest, or any part thereof, of the following illegal and fraudulent bonds of Arkansas, or any part thereof, to-wit: railroad aid bonds issued, or that may be hereafter issued, under an act of the General Assembly of the State of Arkansas, entitled "An Act to aid in the construction of railroads," approved July 21, A.D. 1868; levee bonds issued under an act of the General Assembly of the State of Arkansas, entitled "An Act providing for the building and repairing of the public levees of the State and for other purposes," approved March 16, A.D. 1869, and the supplemental act thereto, approved April 12, A.D. 1869 and the amended act entitled "An Act" providing for the building and repairing of the public levees of this State," approved March 23, A.D. 1871; and the bonds issued under an act of the General Assembly of the State of Arkansas entitled "An Act to provide for the funding of the public debt of the State", approved April 6th, A.D. 1869. and numbered from four hundred and ninety-one to eighteen-hundred and sixty, inclusive being the "funding bonds" delivered to E.W. Cooper, and commonly known as "Colford Bonds" and any law or act levying such tax or making such appropriation or authorizing the same to be made or levied, shall be void, and if said article be ratified by a majority of the votes of those voting at said election then said article shall have the same force and effect with any other article of this Constitution.

Mr Thompson, of Woodruff moved that no further business be introduced.

The Convention then adjourned until Monday morning at 8 o'clock.

Thomas M. Newton
Secretary.

Monday
8 o'clock a m
September 7th 1874.

The Convention met pursuant to adjournment=

The roll was called and the following named members answered to their names -

Anderson, J. Lee. Anderson, J. Craighead Bench
Butler, J. Independence Butler, J. Pulaski Bailey
Brown. Blackwell. Brown. Bates. Bowen
Bryant, J. Baxter. Cunningham. Crowley
Carroll. Cables. Carter. Cagle. Atkisson
Downs. Dunaway. Doswell. Eakin. Eagle
Erixson. Fishback. Garland. Gulley Goodwin
House. Hampton. Hawkins. Hanna. Howell
Jones. Killgore. Kelley. Kinsworthy
Leiper. Leslie. Lindsey Lake. Mosley
Mansfield Murphy Miller. Niven Patterson
Pendergrass. Parrott. Pellam. Polk. Rogers-
Rutherford. Reinhardt Smoot Stanley Scott
Thomason, J. Crawford. Thomason, J. Washington
Thompson. Williams, J. Little River Williams, J. Sharp
Williams, J. Union. Walker & Mr President-

Those members failing to answer to their names were
Berry. Barnes. Bryant, J. White. Copeland
Custer. Flanagin. Gibson. Harrison Horner
Hughes. Joyner. Lucas O'Sullivan. Perkins
Ross. Rector. Smith J. Lafayette. Smith J. Sabine
Sorrels. Williams J. Jefferson & Totten.

A quorum present

Prayer by the Chaplain

Messrs Williams J. Jefferson Ross. Berry. Sorrels
Harrison. Barnes Totten & Gibson
appeared in their seats and answered to their names

On motion of Mr Eakin the reading

and final adoption of the Constitution was set at 1/2 past 9 o'clock this morning.

The Journal of the preceeding day was read and approved.

Mr Bunch under a suspension of the rules introduced the following resolution which was adopted.

Resolved

That the thanks of this Convention are due and are hereby tendered the President of this Convention Hon Grandison D. Royston for the able dignified courteous and impartial manner in which he has presided over this body and discharged the delicate duties of his high and responsible position,

Resolved further -

That the thanks of this Convention are hereby tendered the Secretary and his assistants for the efficient and faithful manner in which they have performed the arduous duties of their respective positions.

Mr Leiper of Dallas introduced the following Ordinance

Whereas, That is most to be desired by all good citizens of the State of Arkansas in conjunction with good government under the Constitution now framed is peace and quietude within her borders and that all personal animosities arising from past political differences in the late internicine strife shall cease forever -

Therefore be it ordained by the people of the State of Arkansas in Convention assembled - That a full amnesty and pardon is hereby granted to all persons who may have been guilty of engaging in any fights, battles, riots affrays or personal encounters arising from or growing out of such political differences in the troubles known as the Brooks and Baxter war, and that no criminal proceedings shall ever be instituted in any court of this

State against any person whatsoever for any act he may have committed under the direction or by the authority of any person whatsoever up to the 14th day of July 1874.

Mr Ross moved to amend by inserting that this ordinance not take effect until after the ratification of the present constitution

which was accepted by Mr Leiper

The Ordinance was then on motion referred to the Committee on Judiciary.

The Ordinance introduced by Mr Miller on Saturday appointing a Committee on Finance &c was taken up.

On motion of Mr Hughes the Ordinance was referred to a special committee of three -

Mr Brown of Clayton introduced the following resolution -

Resolved by the Convention that the Auditor be and he is hereby directed to issue his warrants on the State Treasury for the amounts due the clerks of the several departments at the price for which they were employed an amount in warrants equivalent to the amount for which they were employed and that the contingent expenses of the several departments now due shall be discharged in the same manner.

Resolved further that the pay provided for clerks under Ordinance of August 13 - 1874 shall be an amount in warrants or scrip equivalent to said amount as fixed by said ordinance in U.S.C, and that each of the several departments shall be allowed a contingent fund in amount the same as specified in said Ordinance of August 13-1874 the same to be in Auditors warrants or scrip at the current rates of the same. And that

an amount of money necessary for the purposes hereof is hereby appropriated out of any money in the Treasury not otherwise appropriated to pay the same

The President laid before the Convention the following Communication.

To the President and Members of the Constitutional Convention.

On the 13th day of August 1874 your honorable body passed an Ordinance in reference to the pay of Clerks and contingent expenses then due and to become due on account of the several departments of State, which Ordinance proved inoperative, and on the 15th day of Sept 1874 said Ordinance was rescinded save as to the number grade and pay of clerks

As the matter now stands the pay of clerks is henceforth is fixed at 75 and 100 dollars per month in Currency and as there is no Currency in the Treasury to pay the same the question arises if such clerks are to be paid in Auditors Warrants or State Scrip an equivalent to 75 & $ 100 in U.S.C., as there is no law authorizing the Auditor to issue his Warrant with the discount added. I respectfully ask if such was intended by the Convention, that the Auditor be directed by resolution or otherwise to issue in Warrants an amount equivalent to the amount to be paid in Currency, It is also absolutely necessary to the running of the State Government that the departments be provided with an appropriation to pay Contingent expenses. Expenses of this character have already accrued in several of the departments and in this office many expenses in connection with the revenue and other matters cannot be effected successfully without a Contingent

fund, over two months pay is now due most of the clerks and they are greatly in need of the same I think it but first that they be paid at the price for which they were employed in U.S.C. or its equivalent in the paper of the State Hoping that it will be the pleasure of the Convention to put this matter in a tangible shape -

I am very respectfully
Your obt servant
J. R. Berry
Auditor of State.

Mr Fishback moved the reference of the Ordinance introduced by Mr Brown to the Special Committee appointed to consider the Ordinances on Finance introduced by Mr Moller of Randolph.

Which on being put was carried

Mr Hughes under a suspension of the rules introduced the following resolution

Whereas, it is said and believed that the Constitutional Convention of the State of Arkansas is composed of representative men of the State; and
Whereas we desire to give expression to the sentiments of the people of our State; and
Whereas - it has been said and published that on account of turbulence and lawlessness and animosity to loyal men of the United States Government they could not live in security and peace in the State of Arkansas. therefore;
Be it resolved 1st That in the Supremacy of the law and its faithful and just administration alone, are found all the safe guards of the sacred and inalienable rights of man, and the hope of peace prosperity and the blessings of civil, political and religious liberty and that we do and will forever discountenance reprobate and unqualifiedly condemn lawlessness violences and outrages whatsoever and whencesoever found; and that we demands in the name

of the State, equal protection, equal justice and equal rights to all from the highest to the lowest, and without regard to race, color, or previous condition and we engage[illegible] fully and unreservedly pledge ourselves to the same

2nd That we do most sincerely regret and condemn all brutal outrages "similar to those which have been reported to have occurred in Gibson County Tennessee"

3rd That we earnestly and sincerely deprecate and deplore all collisions between the white and colored people of this or any other State, and that we regard those who cherish a disposition to produce conflict between the two races as enemies to the peace prosperity and good government of the State.

4th That in the utmost good faith we earnestly and cordially invite good citizens from any part of our great country and elsewhere who may feel disposed to come to our State and cast their lot with us, and we guarantee to them protection in the enjoyment of all the rights of man in civilized life

The President announced the special order of the day, being the reading and adoption of the Constitution as a whole at 9 1/2 o'clock A.M.

On motion of Mr Smoot the special order of the day was postponed for one half hour

The question then recurred upon the adoption of the resolution introduced by Mr Hughes

Mr Hughes amended his resolution by saying after the word outrages in second Section

"similar to those which have been reported to have occurred in Gibson County" Tennessee.

Mr Hanna moved to strike out Sect 2.

which was not agreed to.

The question then recurred upon the adoption of the resolution

The ayes and noes were ordered on the main question

The previous question was called and ordered

The roll was called and the following named members voted in the Affirmative

Anderson, & Lee - Anderson & Craighead. Bench.
Butler, & Pulaski. Berry. Bailey. Brown. Burns
Blackwell. Brown. Bates. Bowen. Cozart & Burton
Crowley. Carroll. Cobler. Carter. Cagle. Downe.
Dunaway. Dowell. Eatein. Frierson. Fishback
Gibson. Garfand. Gulley. Goodgion. Howse -
Hampton. Hooper. Hughes. Hawkins. Howell.
Jones. Killebrew Kinnworthy. Leiper. Lake.
Mansfield. Murphy. Miller. Niven. O'Sullivan
Patterson. Pendergrass. Perkins. Pulliam. Polk
Rogers. Ross. Reese. Rutherford. Reinhardt
Snoot. Stanley. Scott. Smith & Sullivan -
Thomason & Crawford. Thomason & Washington.
Thompson. Williams & Jefferson - Williams & -
Little River) Williams & Sharpe. Williams & Union
Walker. Yeates & Mr President.

Those voting in the negative were
Harrison & Bell & Smith & Lafayette.

In the affirmative 62.
In the negative 2.
Not voting 27.
91

So the resolution was passed.

Mr Harrison & Bell. sent to the Secretary desk the following explanation of his vote -

- I took no while I approve of the spirit of the resolution I am not willing to endorse the implied censure of the people of Gibson County Tennessee contained

in the resolution, I know that people to be law abiding and in every way peaceful, noble and generous and should not be condemned without a hearing

The President announced as special Committee on certain Ordinances as follows
Mess T. Hughes. Miller & Smith of Calvin.

Mr House introduced the following Ordinance

Be it Ordained by the People of the State of Arkansas in Convention assembled That the sum of ——— dollars be and the same is hereby appropriated to pay the contingent expenses of this Convention,

Be it further Ordained, that the Secretary of this Convention be and he is hereby instructed to forward the printed copies of the new Constitution to the County Clerks of the several Counties in this State according to their respective voting population, and that a sufficient sum of money is hereby appropriated to pay the expenses in making such distribution.

Mr Leiper moved to amend by striking out the words "County clerks" and insert "the delegates of this Convention"

Mr Ross moved further to amend as follows
Resolved that Secretary Convention be authorized and directed to distribute the copies of new Constitution in the best and most practicable manner.

Mr Fishback moved a reference of the Ordinance to a special Committee, which was not agreed to

Mr Hughes Chairman of the enrolling Committee made the following report.

To the President of the Constitutional Convention
The Committee on Enrollments beg leave to submit the following report
That they have carefully examined and compared the Enrolled Copies of the following articles of the

Constitution with the original engrossed copies of the same and find that the same has been correctly and handsomely enrolled, upon parchment to wit-

Preamble

Art 1- Boundaries and Boundary Lines.

Art II. Declaration of Rights.

Art III. Franchise and Elections.

Art IV Departments.

Art V. Legislative

Art VI Executive Department

Art VII Judicial Department

Art VIII Apportionment

Art IX Exemptions

Art X Agricultural, Mining and Manufactures

Art XI Militia

Art XII Municipal and Private Corporations

Art XIII Counties, County seats and County Lines

Art XIV Education

Art XV. Impeachment and Address.

Art XVI. Finance and Taxation

Art XVII Rail Roads, Canals and Turnpikes.

Art XVIII. Judicial Circuits

Art-XIX Miscellaneous Provisions

Schedule

S O Hughes chairman
John M. Parrott
Ben Blakemore
L. D. Eagle.

The hour of 10 o'clock having arrived the reading of the Constitution as a whole and as enrolled was ordered read which is as follows.

Constitution
of the
State of Arkansas

Preamble

We, the People of the State of Arkansas, grateful to Almighty God for the privilege of choosing our own form of government; for our civil and religious liberty; and desiring to perpetuate its blessings, and secure the same to ourselves and our posterity; do ordain and establish this Constitution.

Article I
Boundaries

We do declare and establish, ratify and confirm the following as the permanent boundaries of the State of Arkansas, that is to say: Beginning at the middle of the main channel of the Mississippi river, on the parallel of thirty-six degrees of north latitude; running thence west with said parallel of latitude to the middle of the main channel of the St. Francis river; thence up the main channels of said last-named river, to the parallel of thirty-six degrees, thirty minutes of north latitude; thence west with the southern boundary line of the State of Missouri to the south

west corner of said last named State; thence to be bounded on the west to the north bank of Red river, as by act of Congress, and treaties speaking January 1st 1827, defining the western limits of the Territory of Arkansas and to be bounded across and south of Red river by the boundary line of the State of Texas as far as to the northwest corner of the State of Louisiana; thence eastly with the northern boundary line of said last named State to the middle of the main channel of the Mississippi river; thence up the middle of the main channel of said last named river including an island in said river, known as "Belle Point Island", and all the lands originally surveyed and included as part of the Territory or State of Arkansas to the thirty sixth degree of north latitude, the place of beginning.

Seat of Government.

The seat of Government of the state of Arkansas, shall be and remain at Little Rock where it is now established

Article II.

Declaration of Rights.

Section 1. All political power is inherent in the people, and government is instituted for their protection, security and benefit and they have the right to alter reform or abolish the same in such manner as they may think proper.

Section 2. All men are created equally free and independent and have certain inherent and inaliendable rights, among which are those of enjoying and defending life and liberty; of acquiring, possessing property, and reputation and of pursuing their own happiness. To secure these rights governments are instituted among.

men, deriving their just powers from the consent of the governed.

Section 3. The equality of all persons before the law is recognized, and shall ever remain inviolate; nor shall any citizen ever be deprived of any right, privilege or immunity, nor exempted from any burden or duty on account of race, color or previous condition.

Section 4. The right of the people peacefully to assemble to consult for the common good; and to petition, by address or remonstrance the government, or any department thereof, shall never be abridged.

Section 5. The citizens of this state shall have the right to keep and bear arms for their common defence.

Section 6. The liberty of the press shall forever remain inviolate. The free communication of thoughts and opinions is one of the invaluable rights of man; and all persons may freely write and publish their sentiments on all subjects being responsible for the abuse of such right. In all criminal prosecutions for libel, the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libelous is true and was published with good motives and for justifiable ends, the party charged shall be acquitted.

Section 7. The right of trial by jury shall remain inviolate, and shall extend to all cases at law, without the amount in controversy; but a

jury trial may be waived by the parties in all cases in the manner prescribed by law.

Section 8. No person shall be held to answer a criminal charge, unless on the presentment or indictment of a grand jury except in cases of impeachment or cases such as the general assembly shall make cognizable by justices of the peace and courts of similar jurisdiction; or cases arising in the army and navy of the United States; or in the militia when in actual service in time of war or public danger and no person for the same offense shall be twice put in jeopardy of life or liberty, but if in any criminal prosecution the jury be discharged in opinion the court before which the trial shall be had may in its discretion discharge the jury and commit or bail the accused for trial; or the court or the supplication of such court. nor shall any person be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property without due process of law. All persons shall before conviction be bailable by sufficient sureties except for capital offences when the proof is evident or the presumption great.

Section 9. Excessive bail shall not be required, nor shall excessive fines be imposed, nor shall cruel or unusual punishments be inflicted nor witnesses be unreasonably detained

Section 10. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an

impartial jury of the county in which the crime shall have been committed; provided, that the venue may be changed to any other county of the judicial district in which the indictment is found upon the application of the accused in such manner as now is or may be prescribed by law; and to be informed of the nature and cause of the accusation against him, and to have a copy thereof and to be confronted with the witnesses against him; to have compulsory for obtaining witnesses in his favor; and to be heard by himself and his counsel.

Section 11. The privilege of the writ of habeas corpus shall not be suspended except by the general assembly in case of rebellion insurrection or invasion, when the public safety may require it.

Section 12. No power of suspending or setting aside the law or laws of the state shall ever be exercised except by the general assembly.

Section 13. Every person is entitled to a certain remedy in the laws for all injuries or wrongs he may receive in his person property or character; he ought to obtain justice freely, and without purchase; completely and without denial, promptly and without delay, conformably to the laws.

Section 14. Treason against the state shall only consist in levying and making war against the same, or in adhering to its enemies giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act or on confession in open court.

Section 15. The right of the people of this state to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue, except upon probable cause, supported by oath or affirmation and particularly describing the place to be searched, and the person or thing to be seized.

Section 16. No person shall be imprisoned for debt in any civil action, on mesne or final process, unless in case of fraud.

Section 17. No bill of attainder, ex post facto, law, or law impairing the obligation of contracts shall ever be passed; and no conviction shall work corruption of blood or forfeiture of estate.

Section 18. The general assembly shall not grant to any citizen, or class of citizens, privileges or immunities which, upon the same terms shall not equally belong to all citizens.

Section 19. Perpetuities and monopolies are contrary to the genius of a republic, and shall not be allowed; nor shall any hereditary emoluments privileges or honors ever be granted or conferred in this state.

Section 20. No distinction shall ever be made by law between resident aliens and citizens in regard to the possession, enjoyment or descent of property.

Section 21. No person shall be taken or imprisoned or disseized of his estate,

freehold, liberties or privileges; or outlawed, or in any manner destroyed, or deprived of his life, liberty or property; except by the judgment of his peers, or the law of the land; nor shall any person, under any circumstances, be exiled from the State.

Section 22. The right of property is before and higher than any constitutional sanction; and private property shall not be taken, appropriated or damaged for public use, without just compensation therefor.

Section 23. The State's ancient right of eminent domain and of taxation, as herein fully and expressly conceded; and the General Assembly may delegate the taxing power, with the necessary restriction, to the State subordinate political and municipal corporations, to the extent of providing for their existence, maintenance and well being, but no further.

Section. 24. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences; no man can of right be compelled to attend, erect or support any place of worship; or to maintain any ministry against his consent. No human authority can, in any case or manner whatsoever, control or interfere with the right of conscience; and no preference shall ever be given, by law, to any religious establishments, denomination or mode of worship, above any other.

Section. 25. Religion, morality and knowledge being essential to good government the General Assembly shall enact suitable laws to protect every religious denomination in the peaceful enjoyment of its own mode of public worship.

Section. 26. No religious test shall ever be

regards of any person as a qualification to vote or hold office; nor shall any person be rendered incompetent to be a witness on account of his religious belief; but nothing herein shall be construed to dispense with oaths or affirmations.

Section. 27. There shall be no slavery in this State, nor involuntary servitude, except as a punishment for crime. No standing army shall be kept in time of peace; the military shall, at all times be in strict subordination to the civil power; and no soldier shall be quartered in any house, or on any premises, without the consent of the owner, in time of peace; nor in time of war, except in a manner prescribed by law.

Section. 28. All lands in this State are declared to be allodial; and feudal tenures of every description, with all their incidents are prohibited.

Section. 29. The enumeration of rights shall not be construed to deny or disparage others retained by the people; and to guard against any encroachments on the rights herein retained, or any transgression of any of the higher powers herein delegated we declare that every thing in this article is excepted out of the general powers of the government; and shall forever remain inviolate; and that all laws contrary thereto or to the other provisions herein contained shall be void.

Article III

Franchise and Elections.

Section 1. Every male citizen of the United States, or male person who has declared his

intention of becoming a citizen of the same, of the age of twenty one years, who has resided in the State twelve months, and in the County six months and in the voting precinct wards one month, next preceeding any election, where he may propose to vote, shall be entitled to vote at all elections by the people.

Section 2. Elections shall be free and equal & no power civil or military, shall ever interfere to prevent the free exercise of the right of suffrage; nor shall any law be enacted, whereby the right to vote at any election shall be made to depend upon any previous registration of the elector's name; or whereby such right shall be impaired or forfeited except for commission of a felony at common law, upon lawful conviction thereof.

Section. 3. All elections by the people shall be by ballot. Every ballot shall be numbered in the order in which it shall be received, and the number recorded by the election officers, on the list of voters, opposite the name of the elector who presents the ballot. The election officers shall be sworn or affirmed not to disclose how any elector shall have voted unless required to do so as witnesses in a judicial proceeding or to contest an election.

a proceeding

Section. 4. Electors shall in all cases (except at treason, felony and breach of the peace) be privileged from arrest during their attendance at elections and going to and from the same.

Section. 5. No idiot or insane person shall be entitled to the privileges of an elector.

Section. 6. Any person who shall be convicted of frauds, bribery, or other willful and corrupt violation of an election law of this State, shall be adjudged guilty of a felony, and disqualified from holding any office of trust or profit in this State.

Section. 7. No soldier, sailor, or marine, in the military or naval service of the United States, shall acquire a residence by reason of being stationed on duty in this State.

Section. 8 The general elections shall be held biennially, on the first Monday of September; but the General Assembly may by law, fix a different time.

Section. 9. In trials of contested elections and in proceedings for the investigation of elections, no person shall be permitted to withhold his testimony on the ground that it may criminate himself, or subject him to public infamy; but such testimony shall not be used against him in any judicial proceeding, except for perjury in giving such testimony.

Section. 10. No person shall be qualified to serve as an election officer who shall hold at the time of the election any office, appointment, or employment in or under the government of the United States, or of this State or in any city or county or any municipal board commission or trust in any city, save only the justices of the peace, and aldermen, notaries public, and persons in the militia service of the State. Nor shall any election officer be eligible to any civil office to be filled at an election at which he shall serve - save only to such subordinate municipal

or local offices, below the grade of city or county officers as shall be designated by general law.

Section. 11. If the officers of any election shall unlawfully refuse or fail to receive, count, or return the vote or ballot of any qualified elector, such vote or ballot shall nevertheless be counted upon the trial of any contest arising out of said election.

Section. 12. All elections by persons acting in a representative capacity shall be viva voce.

Article IV.

Departments.

Section. 1. The powers of the government of the State of Arkansas shall be divided into three distinct departments, each of them to be confided to a separate body of magistracy, to-wit. Those which are legislative to one; those which are executive to another; and those which are judicial to another.

Section. 2. No person or collection of persons being of one of these departments, shall exercise any power belonging to either of the others, except in the instances hereinafter expressly directed or permitted.

Article. V

Legislative.

Section. 1 The legislative power of this State shall be vested in a General Assembly, which shall consist of the Senate and House of Representatives.

Section, 2. The House of Representatives shall consist of members to be chosen every second year, by the qualified electors of the several Counties.

Section, 3. The Senate shall consist of members to be chosen every four years by the qualified electors of the several districts. At the first session of the Senate, the Senators shall divide themselves into two classes by lot, and the first class shall hold their places for two years only, after which all shall be elected for four years.

Section. 4. No person shall be a Senator or Representative who, at the time of his election is not a citizen of the United States, nor any one who has not been for two years next preceding his election a resident of the State and for one year next preceding his election a resident of the County or district whence he may be chosen. Senators shall be at least twenty-five years of age and Representatives at least twenty-one years of age.

Section. 5. The General Assembly shall meet at the seat of government every two years on the first Thursday after the second Monday in November, until said time be altered by law.

Section, 6. The Governor shall issue writs of election to fill such vacancies as shall occur in either house of the General Assembly.

Section. 7. No judge of the Supreme Circuit or inferior courts of law or equity, Secretary of State, Attorney General for the State, Auditor or Treasurer, Recorder, clerk of any court of record, Sheriff, Coroner, member of Congress

nor any other person holding any lucrative office under the United States or this State (militia officers, justices of the peace, postmasters officers of public schools and notaries excepted) shall be eligible to a seat in either house of the General Assembly.

Section. 8. No person who now is or shall be hereafter, a collector or holder of the public money, nor any assistant or deputy of such holder or collector of public money, shall be eligible to a seat in either house of the General Assembly nor to any office of trust or profit, until he shall have accounted for, and paid over all sums for which he may have been liable.

Section 9. No person hereafter convicted of embezzlement of public money, bribery forgery, or other infamous crime, shall be eligible to the General Assembly or capable of holding any office of trust or profit in this State.

Section. 10. No Senator or Representative shall during the term for which he shall have been elected, be appointed or elected to any civil office under this State.

Section. 11. Each house shall appoint its own officers, and shall be sole judge of the qualifications, returns and elections of its own members: A majority of all the members elected to each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as each house shall provide.

Section 12. Each house shall have power to determine the rules of its proceedings; and punish its members, or other persons, for contempt or disorderly behavior in its presence; enforce obedience to its process; to protect its members against violence or offers of bribes, or private solicitations, and, with the concurrence of two-thirds, expel a member; but not a second time for the same cause.
A member expelled for corruption shall not thereafter be eligible to either house; and punishment for contempt, or disorderly behavior, shall not bar an indictment for the same offence.
Each House shall keep a journal of its proceedings, and from time to time publish the same, except such parts as require secrecy, and the yeas and nays, on any question, shall at the desire of any five members be entered on the journals.

Section 13. The sessions of each house and of committees of the whole, shall be open: unless when the business is such as ought to be kept secret.

Section 14. Whenever an officer civil or military, shall be appointed by the joint concurrent vote of both houses, or by the separate vote of either house of the general assembly, the vote shall be taken viva voce, and entered on the journals.

Section 15. The members of the general assembly shall, in all cases except treason, felony, breach or surety of the peace, be privileged from arrest, during their attendance at the sessions of their respective houses, and going to and returning from the same, and, for any speech or debate in either house, they shall not be questioned,

in any other place.

Section 26. The members of the general assembly shall receive such per diem pay and mileage for their services, as shall be fixed by law.
No member of either house shall, during the term for which he has been elected, receive any increase of pay for his services, during any law passed during such term. The term of all members of the general assembly shall begin on the day of their election.

Section 27. The regular biennial sessions shall not exceed sixty days in duration; unless by a vote of two-thirds of the members elected to each house of said general assembly. Provided, that this section shall not apply to the first session of the general assembly under this Constitution or when impeachments are pending.

Section 28. Each house at the beginning of every regular session of the General Assembly, and whenever a vacancy may occur, shall elect from its members a presiding officer, to be styled, respectively, the President of the Senate, and the Speaker of the House of Representatives; and whenever at the close of any session, it may appear that the term of the member elected President of the Senate will expire before the next regular session, the Senate shall elect another President from those members whose terms of office continue over who shall qualify and remain President of the Senate until his successor may be elected and qualified; and who, in case of a vacancy in the office of Governor, shall perform

the duties and exercise the powers as elsewhere herein provided.

Section 19. The style of the laws of the State of Arkansas shall be: "Be it enacted by the general assembly of the state of Arkansas."

Section 20. The state of Arkansas shall never be made defendant in any of her courts.

Section 21. No laws shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house, as to change its original purpose.

Section 22. Every bill shall be read at length on three different days in each house; unless the rules be suspended by two thirds of the house, when the same may be read a second or third time on the same day; and no bill shall become a law, unless on its final passage, the vote be taken by yeas and nays: the names of the persons voting for and against the same be entered on the journal; and a majority of each house be recorded thereon as voting in its favor.

Section 23. No law shall be revived, amended, or the provisions thereof extended or conferred, by reference to its title only; but so much thereof as is revived, amended extended or conferred, shall be re-enacted and published at length.

Section 24. The general assembly shall not pass any local or special

law changing the penalties annulling causes; changing the names of persons, or adopting or legitimating children; granting divorces; creating roads, streets or alleys.

Section 25. In all cases where a general law can be made applicable, no special law shall be enacted, nor shall the operation of any general law be suspended by the Legislature for the benefit of any particular individual, corporation or association, nor in which the courts have jurisdiction to grant the powers or the privileges or the relief asked for.

Section 26. No local or special bill shall be passed unless notice of the intention to apply therefor shall have been published in the locality where the matter or thing to be affected may be situated; in which notice shall be at least thirty days prior to the introduction into the general assembly of such bill, and in the manner to be provided by law. The evidence of such notice having been published shall be exhibited in the general assembly before such act shall be passed.

Section 27. No extra compensation shall be made to any officer, agent, employee or contractor after the service shall have been rendered or the contract made, nor shall any money be appropriated or paid on any claim the subject matter of which shall not have been provided for by pre-existing laws, unless such compensation or claim

be allowed by bill passed by two thirds of the members elected to each branch of the general assembly.

Section 28. Neither house shall without the consent of the other adjourn for more than three days; nor to any other place than that in which the two houses shall be sitting

Section 29. No money shall be drawn from the treasury, except in pursuance of specific appropriation made by law, the purpose of which shall be distinctly stated in the bill, and the maximum amount which may be drawn shall be specified in dollars and cents, and no appropriation shall be for a longer period than two years.

Section 30. The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the legislative and judicial departments of the State; all other appropriations shall be made by separate bills, each embracing but one subject.

Section 31. No State tax shall be allowed, or appropriation of money made, except to raise means for the payment of the public debt of the State, for defraying the necessary expenses of government, to sustain common schools, to repell invasion and suppress insurrection, except by majority of two thirds of both houses of the General Assembly.

Section. 32. No act of the General Assembly shall limit the amount to be recovered for injuries resulting in death, or for injuries to persons or property; and, in

case of death from such injuries, the right of action shall survive, and the general assembly shall prescribe for whose benefit such action shall be prosecuted.

Section 33. No obligation or liability of any kind owed, or within existence, held or owned by this state shall ever be exchanged, transferred, remitted, postponed or in any way diminished, by the general assembly; nor shall such liability or obligation be released except by payment thereof into the state treasury.

Section 34. No more bills shall be introduced into either house during the last three days of the session.

Section 35. Any person who shall, directly or indirectly, offer, give, or promise any money or thing of value, testimonial, privilege or personal advantage to any executive or judicial officer or member of the general assembly; and any such executive or judicial officer or member of the general assembly, who shall receive or consent to receive, any such consideration, either directly or indirectly, to influence his action in the performance of his public or official duty, shall be guilty of a felony, and be punished accordingly.

Section 36. Proceedings to expel a member for criminal offense whether successful or not, shall not bar an indictment and punishment under the criminal laws for the same offense

Article VI.

Executive Department.

Section 1. The executive department of this state shall consist of a Governor, Secretary of state, Treasurer of state, auditor of state, and attorney General, all of whom shall keep their offices at the seat of Government and hold their offices for the term of two years, and until their successors are elected and qualified; and the general assembly may provide by law for the establishment of the office of Commissioner of state Lands.

Section 2. The supreme executive power of this state shall be vested in a chief magistrate, who shall be styled "The Governor of the state of Arkansas."

Section 3. The Governor, Secretary of state, Treasurer of state, auditor of state, and attorney General shall be elected by the qualified electors of the state at large, at the time and places of voting for members of the general assembly. The returns of each election shall be sealed up separately and transmitted to the seat of Government by the returning officers, and directed to the speaker of the House of Representatives; who shall, during the first week of the session, open and publish the votes each and given for each of the respective officers shall before entered, in the presence of both Houses of the general assembly. The person having the highest number of votes, for each of

the respective offices, shall be declared duly elected shall; but if two or more shall be equal, and highest in votes for the same office, one of them shall be chosen by the joint vote of both houses of the general assembly, in joint session who shall have exclusive jurisdiction in trying and determining the same except as hereinafter provided in the case of special elections; and all such contests shall be tried, and determined at the first session of the general assembly after the election, in which the same shall have arisen.

Section 5. No person shall be eligible to the office of Governor except a citizen of the United States, who shall have attained the age of thirty years and shall have been seven a resident of this State.

Section. 6. The Governor shall be commander-in-chief of the military and naval forces of this State, except when they shall be called into the actual service of the United States.

Section. 7 He may require information in writing, from the officers of the Executive Department, on any subject relating to the duties of their respective offices; and, shall see that the laws are faithfully executed.

Section. 8. He shall give to the General Assembly from time to time, and at the close of his official term, to the next General Assembly, information, by message, concerning the condition and government of the State, and recommend for their consideration such measures as he may deem expedient.

Section. 9. A seal of the State shall be kept by the Governor, used by him officially, and called "The Great Seal of the State of Arkansas."

Section. 10. All grants and commissions shall be issued in the name, and by the authority, of the State of Arkansas; sealed with the Great Seal of the State; signed by the Governor, and attested by the Secretary of State.

Section. 11. No member of Congress or other person holding office under the authority of this State, or of the United States, shall exercise the office of Governor, except as herein provided.

Section 12. In case of the death, conviction on impeachment, failure to qualify, resignation, absence from the State, or other disability of the Governor, the powers, duties and emoluments of the office for the remainder of the term, or until the disability be removed, or a Governor elected and qualified shall devolve upon, and accrue, to the President of the Senate.

Section. 13. If, during the vacancy of the office of Governor, the President of the Senate shall be impeached, removed from office, refuse to qualify, resign, die, or be absent from the State; the Speaker of the House of Representatives shall, in like manner, administer the government.

Section. 14. Whenever the office of Governor shall have become vacant by death, resignation,

removal from office or otherwise, provided such vacancy shall not happen within twelve months next before the expiration of the term of office for which the late Governor shall have been elected, the President of the Senate or Speaker of the House of Representatives, as the case may be, exercising the powers of Governor for the time being, shall immediately cause an election to be held to fill such vacancy, giving by proclamation, sixty days previous notice thereof, which election shall be governed by the same rules prescribed for General elections of Governor as far as applicable; the returns shall be made to the Secretary of State and the acting Governor, Secretary of State and Attorney-General shall constitute a board of canvassers, a majority of whom shall compare said returns and declare who is elected; and if there be a contested election, it shall be decided as may be provided by law.

Section. 15. Every bill which shall have passed both houses of the General Assembly, shall be presented to the Governor; and if he approve it, he shall sign it; but if he shall not approve it, he shall return it, with his objections, to the house in which it originated; which house shall enter the objections at large upon their journal, and proceed to reconsider it. If, after such reconsideration, a majority of the whole number elected to that house, shall agree to pass the bill, it shall be sent, with the objections, to the other house; by which, likewise, it shall be reconsidered; and, if approved by a majority of the whole number elected to that house, it shall be a law; but in such cases the vote of both houses shall be determined by the "yeas and nays"; and the names of the members voting for or against the

bill, shall be entered on the Journals. If any bill shall not be returned by the Governor within five days, Sundays excepted after it shall have been presented to him, the same shall be a law in like manner as if he had signed it; unless the General Assembly, by their adjournment, prevent its return; in which case it shall become a law, unless he shall file the same, with his objections, in the office of the Secretary of State, and give notice thereof, by public proclamation, within twenty days after such adjournment.

Section 16. Every order or resolution in which the concurrence of both houses of the General Assembly may be necessary, except on questions of adjournment, shall be presented to the Governor, and before it shall take effect, be approved by him; or being disapproved, shall be repassed by both houses according to the rules and limitations prescribed in the case of a bill.

Section 17. The Governor shall have power to disapprove of any item, or items, of any bill making appropriation of money embracing distinct items; and the part or parts of the bill approved shall be the law; and the item or items of appropriations disapproved, shall be void unless repassed according to the rule and limitations prescribed for the passage of other bills over the executive &c to.

Section 18. In all criminal and penal cases, except in those of treason and impeachment, the Governor shall have power to grant reprieves, commutations of sentence, and pardons, after conviction; and to remit fines and forfeitures, under

such rules and regulations as shall be prescribed by law: In cases of treason, he shall have power, by and with the advice and consent of the Senate, to grant reprieves and pardons; and he may, in the recess of the Senate, respite the sentence until the adjournment of the next regular session of the General Assembly. He shall communicate to the General Assembly at every regular session each case of reprieve, commutation or pardon, with his reasons therefor; stating the name and crime of the convict, the sentence, its date, and the date of the commutation, pardon or reprieve.

Section. 19. The Governor may, by proclamation, on extraordinary occasions, convene the General Assembly at the seat of government or at a different place, if that shall have become, since their last adjournment, dangerous from an enemy or contagious disease; and he shall specify in his proclamation the purpose for which they are convened; and no other business than that set forth therein shall be transacted until the same shall have been disposed of; after which they may, by a vote of two thirds of all the members elected to both houses, entered upon their journals remain in session not exceeding fifteen days.

Section 20. In cases of disagreement between the two houses of the General Assembly, at a regular or special session with respect to the time of adjournment, the Governor may if the facts be certified to him by the presiding officers of the two houses adjourn them to a time not beyond the day of their next meeting; and on account of danger from an enemy or disease, to such other place of safety

as he may think proper.

Section. 21. The Secretary of State shall keep a full and accurate record of all the official acts and proceedings of the Governor, and when required lay the same with all papers, minutes, and vouchers relating thereto before either branch of the General Assembly. He shall also discharge the duties of Superintendent of public instruction until otherwise provided by law

Section. 22. The Treasurer of State, Secretary of State, Auditor of State and Attorney-General shall perform such duties as may be prescribed by law; they shall not hold any other office or commission civil or military, in this State or under any State, or the United States or another power at one and the same time; and in case of vacancy occurring in any of said offices by death, resignation or otherwise, the Governor shall fill said office by appointment for the unexpired term.

Section. 23. When any office from any cause may become vacant and no mode is provided by the Constitution and laws for filling such vacancy, the Governor shall have the power to fill the same by granting a commission which shall expire when the person elected to fill said office, at the next general election shall be duly qualified

Article VII

Judicial Department

Section 1. The judicial power of the State shall be vested in one supreme court; in circuit courts; in county and probate courts, and in justices of the peace.
The General Assembly may also vest such jurisdiction as may be deemed necessary in municipal corporation courts, Courts of Common Pleas, when established; and, when deemed expedient, may establish separate Courts of Chancery.

Section. 2. The Supreme Court shall be composed of three Judges, one of whom shall be styled Chief Justice, and elected as such; any two of whom shall constitute a quorum, and the concurrence of two Judges shall, in every case be necessary to a decision.

Section. 3. When the population of the State shall amount to one million, the General Assembly may, if deemed necessary, increase the number of Judges of the Supreme Court to five; and, on such increase, a majority of Judges shall be necessary to make a quorum or a decision.

Section. 4. The Supreme Court except in cases otherwise provided by this Constitution shall have appellate jurisdiction only; which shall be co-extensive with the State under such restrictions as may from time to time be prescribed by law, and equity; and, in aid of its appellate and supervisory jurisdiction, it shall have power to issue writs of error, and supersedeas certiorari habeas corpus, prohibition, mandamus and quo

It shall have a general superintending control over all inferior courts of law

warrants, and other remedial writs, and to hear and determine the same. The judges shall be conservators of the peace throughout the state, and shall severally have power to issue any of the aforesaid writs.

Section 5. In the exercise of original jurisdiction, the supreme court shall have power to issue writs of quo warranto to circuit judges, and chancellors when creation and to officers of Political corporations when the question involved is the legal existence of such corporations.

Section 6. A judge of the supreme court shall be at least thirty years of age, of good moral character and learned in the law, a citizen of the united states, and two years a resident of the state; and who has been a practicing lawyer eight years, or whose service upon the bench of any Court of Record, when added to the time he may have practiced law, shall be equal to eight years. The Judges of the Supreme Court shall be elected by the qualified electors of the state, and shall hold their offices during the term of Eight years from the date of their commissions. but at the first meeting of the court after the first election provided for the judges shall by lot divide themselves into three classes one of which shall hold his office for four, one for six and the other for Eight years. after which each judge shall be elected for a full term of Eight years. A record shall be made of this classification.

Section 7. The supreme court shall appoint its clerk and reporter, who shall hold their offices for six years, subject to removal for good cause.

Section 8. The terms of the supreme court shall be held at the seat of government at the times that now are, or may be provided by law.

Section 9. In case all or any of the judges of the supreme court shall be disqualified from presiding in any cause, or cause, the court or the disqualified judge, shall certify the fact, to the Governor, who shall immediately commission the requisite number of men learned in the law, to sit in the trial, and determination of such causes.

Section 10. The supreme judges shall at stated times receive a compensation for their services to be ascertained by law, which shall not be altered during the adjournment of the next general assembly, diminished during the time, for which they shall have been elected. They shall not be allowed any fees for perquisites of office, nor hold any other office of trust, or profit under this state or the United States.

Section 11. The circuit court shall have jurisdiction in all civil and Criminal cases, the exclusive jurisdiction of which may not be vested in some other court provided for by this constitution

Section 12. The circuit Courts shall hold their terms in each County at such times and places as are or may be prescribed by law

Section 13. The state shall be divided into convenient Circuits each Circuit to be made up of contiguous counties for each of which Circuit a judge shall be elected, who during his continuance in office shall reside in and be a conservator of the peace within the Circuit for which he shall have been elected.

Section 14. The circuit Courts shall exercise a superintending Control and appellate jurisdiction over County, Probate, Courts of Common pleas, and corporation Courts, and justices of the peace; and shall have power to issue, hear and determine all the necessary writs to carry into effect their general and specific powers, any of which writs may be issued upon order of the judge of the appropriate circuit in vacation

Section 15. Until the general assembly shall deem it expedient to establish Courts of Chancery the circuit Courts shall have jurisdiction in matters of equity, subject to appeal to the supreme Court in such manner as may be prescribed by law.

Section 16. A judge of the circuit Court shall be a citizen of the

United States, at least twenty eight years of age. of good moral character learned in the law, two years a resident of the state, and shall have practised law six years or whose service upon the bench of any court of record, when added to the time he may have practised law shall be equal to six years.

Section 17. The judges of the circuit courts shall be elected by the qualified electors of the several circuits and shall hold their offices for the term of four years.

Section 18. The judges of the circuit courts shall at stated times receive a compensation for their services to be ascertained by law; which shall not, after the adjournment of the first session of the general assembly be increased during the time for which they are elected. They shall not be allowed any fees or perquisites of office, nor hold any other office of trust or profit under this state or the United States.

Section 19. The clerks of the circuit court shall be elected by the qualified electors of the several counties for the term of two years. and shall be ex officio clerks of the county and probate courts, and recorder; provided that in any county having a population exceeding fifteen thousand inhabitants as shown by the last federal census there shall be elected a county clerk in like manner as clerks of the circuit court, who shall be

ex officio clerk of the Probate Court of said county.

Section 20. No judge or justice shall preside in the trial of any cause in the event of which he may be interested or where either of the parties shall be connected by consanguinity or affinity within such degree as may be prescribed by law or in which he may have been of counsel; or shall presided in any inferior court.

Section 21. Whenever the office of Judge of Circuit Court of any county is vacant at the commencement of a term of such Court the judge of said Court shall fail to attend, the regular practicing attorneys in attendance on said Court may meet at ten o'clock a.m. on the second day of the term and elect a judge to preside at such Court or until the regular judge shall appear, and if the judge of said Court shall become sick or die or unable to continue to hold such Court after its term shall have commenced or shall from any cause be disqualified from presiding at the trial of any cause pending therein then the regular practicing attorneys in attendance on said Court may in like manner on notice from the judge or clerk of said Court, elect a judge to preside at such Court or to try said causes; and the attorneys so elected shall have the same power

and authority as said court as the regular judge would have had if present and presiding; but this authority shall cease at the close of the term, at which the election shall be made.
The proceedings shall be entered at large upon the record. The special judge shall be learned in the law and a resident of the state.

Section 22. The judges of the circuit courts may temporarily exchange circuits or hold courts for each other under such regulations as may be prescribed by law.

Section 23. Judges shall not charge juries as to the facts but shall declare the law; and, in jury trials, shall reduce their charge or instructions to writing on the request of either party.

Section 24. The qualified electors of each circuit shall elect a prosecuting attorney who shall hold his office for the term of two years, and he shall be a citizen of the United States learned in the law and a resident of the circuit for which he may be elected.

Section 25. The judges of the Supreme Circuit, or chancery courts shall not during their continuance in office practice law or appear as counsel in any court state or federal within this state.

Section 26. The general assembly

shall have power to regulate by law the punishment of contempts not committed in the presence or hearing of the courts, or in disobedience to process.

Section 27. The circuit court shall have jurisdiction upon information presentment or indictment to remove any county or township officer from office for incompetency corruption, gross criminality, criminal conduct malfeasance misfeasance or nonfeasance in office.

Section 28. The county courts shall have exclusive original jurisdiction in all matters relating to county taxes, roads, bridges, ferries, paupers, bastardy, vagrants, the apprenticeship of minors the disbursement of money for county purposes and in every other case that may be necessary to the internal improvement and local concerns of the respective counties.

The county court shall be held by one judge except in cases otherwise herein provided.

Section 29. The judge of the County Court shall be elected by the qualified electors of the county, for the terms of two years; he shall be at least twenty five years of age. a citizen of the United States a man of upright character of good business education and a resident of the state for two

years before his election; and a resident of the county at the time of his election, and during his continuance in office

Section 30. The justices of the peace of each county shall sit with and assist the county judge in levying the county taxes and in making appropriations for the expenses of the county, in the manner to be prescribed by law; and the county judge together with a majority of said justices shall constitute a quorum. In such purposes; and in the absence of the county judge a majority of the justices of the peace may constitute the court, who shall elect one of their number to preside. The general assembly shall regulate by law the mode of compelling the attendance of such jurors.

Section 31. The terms of the county courts shall be held at the times that are now prescribed for holding the supervisors courts, or may hereafter be prescribed by law.

Section 32. The general assembly may authorize the judge of the county court of any one or more counties to hold separately a quarterly court of common pleas in their respective counties; which shall be a court of record, with such jurisdiction in matters of contract and other civil causes not involving title to real estate as may be fixed in such courts

Section 33. Appeals from all judgments of County Courts or Courts of Common Pleas when established may be taken to the Circuit Court under such restrictions and regulations as may be prescribed by law.

Section. 34. The Judge of the County Court shall be the Judge of the Court of Probate, and have such exclusive original jurisdiction in matters relative to the probate of wills, the estates of deceased persons, executors, Administrators, Guardians and persons of unsound mind and their estates, as is now vested in the Circuit Court or may be hereafter prescribed by law. The regular terms of the court of Probate shall be held at the times that may hereafter be prescribed by law.

Section. 35. Appeals may be taken from judgments and orders of the Probate Court to the Circuit Court under such regulations and restrictions as may be prescribed by law.

Section. 36. Whenever a Judge of the County or Probate Court may be disqualified from presiding in any cause or causes pending in his Court, he shall certify the fact to the Governor of the State, who shall thereupon commission a special Judge to preside in such cause or causes during the time said disqualification may continue, or until such cause or causes may be finally disposed of.

Section. 37. The County Judge shall receive such compensation for his services as presiding Judge of

the County Court, as Judge of the Court of Probate and Judge of the Court of Common Pleas, when established as may be provided by law. In the absence of the Circuit Judge from the County, the County Judge shall have power to issue orders for injunction and other provisional writs in their counties, returnable to the Court having jurisdiction; provided, that either party may have such order reviewed by any superior Judge in vacation in such manner as shall be provided by law. The County Judge shall have power, in the absence of the Circuit Judge from the county, to issue, hear and determine writs of habeas corpus, under such regulations and restrictions as shall be provided by law.

Section. 38. The qualified electors of each township shall elect the Justices of the Peace for the term of two years; who shall be commissioned by the Governor, and their official oath shall be endorsed on the commission.

Section. 39. For every two-hundred electors there shall be elected one Justice of the Peace; but every township however small, shall have two Justices of the Peace.

Section. 40. They shall severally have original jurisdiction in the following matters: First— Exclusive of the Circuit Court, in all matters of contract where the amount in controversy does not exceed the sum of one hundred dollars with existing interest, and concurrent jurisdiction of matters of contract when the amount in controversy does not exceed the sum exceed the sum of three hundred dollars exclusive of interest. Second— Concurrent jurisdiction in suits for the recovery of personal property where the value of the property does not exceed the sum of three hundred dollars; and in all matters of damage to personal property, where the amount in controver

does not exceed the sum of one hundred dollars. Third — Such jurisdiction of misdemeanors as is now or may be prescribed by law. Fourth — To sit as examining Courts and commit, discharge or recognize Offenders to the Court having jurisdiction for further trial; and to bind persons to keep the peace or for good behavior. Fifth — For the foregoing purposes they shall have power to issue all necessary process. Sixth — They shall be Conservators of the peace within their respective counties. Provided, a Justice of the Peace shall not have jurisdiction where a lien on lands, or title or possession thereto is involved.

Section. 41. A Justice of the Peace shall be a qualified elector and a resident of the township for which he is elected.

Section. 42. Appeals may be taken from the final judgments of the Justices of the Peace, to the Circuit Courts under such regulations as are now or may be provided by law.

Section. 43. Corporation Courts, for towns and cities may be invested with jurisdiction concurrent with Justices of the Peace in civil and Criminal matters and the General Assembly may invest each of them as it may deem expedient with jurisdiction of any criminal offense not punishable by death or Imprisonment in the Penitentiary with or without indictment as may be provided by law; and until the General Assembly shall otherwise provide, they shall have the jurisdiction now or provided by law.

Section. 44. The Pulaski Chancery Court shall continue in existance until abolished by law or the business pending at the adoption of this Constitution shall be disposed of, or the pending business be transferred to other Courts. The Judge and Clerk of said Court shall hold office for the term of two years, and shall be elected by the qualified voters of the State All suits and proceedings which relate to sixteenth section lands or to money due for said lands shall be transferred to the respective Counties, where such lands are located, in such manner as shall be provided by the General Assembly at the next session.

Section 45. The separate Criminal Courts established in this State are hereby abolished, and all the jurisdiction exercised by said Criminal Courts is vested in the Circuit Courts of the respective Counties, and all causes now pending therein are hereby transferred to said Circuit Courts respectively. It shall be the duty of the Clerks of said Criminal Courts to transfer all the records, books, and papers pertaining to said Criminal courts to the Circuit Courts of their respective Counties

Section 46. The qualified electors of each County shall elect one Sheriff who shall be ex-officio collector of taxes, unless otherwise provided by law; One Assessor, one Coroner, one Treasurer, who shall be ex-officio Treasurer of the Common school funds of the County, and one County Surveyor; for the term of two years, with such duties as are now or may be prescribed by law.

Provided, that no per centum shall ever be paid to Assessors upon the valuation or assessment of property by them.

Section. 47. The qualified electors of each township, shall elect a constable for the term of two years, who shall be furnished by the Presiding Judge of the County court with a certificate of election on which his official oath shall be endorsed.

Section. 48. All Officers provided for in this article except constables shall be commissioned by the Governor.

Section. 49. All writs and other judicial process shall run in the name of the State of Arkansas bear test and be signed by the clerks of the respective Courts from which they issue. Indictments shall conclude "Against the peace and dignity of the State of Arkansas".

Section 50 All vacancies occurring in any Office provided for in this article, shall be filled by special election; save that in cases of vacancy occurring in County and township Officers, six months; and in other offices nine months before the next general election; such vacancy shall be filled by appointment by the Governor.

Section. 51. That in all cases of allowances made for or against Counties, Cities or towns an appeal shall lie to the Circuit Court of the County, at the instance of the party aggrieved or on the intervention of any citizen or resident and tax-payer of such

such County, city or town on the same terms and conditions on which appeals may be granted to the Circuit Court in other cases; and the matter pertaining to any such allowance shall be tried in the Circuit Court de novo. In case an appeal be taken by any citizen he shall give a bond payable to the proper County conditioned to prosecute the appeal aids save the County from cost on account of the same being taken.

Section 52. That in all cases of contest for any County township or municipal office an appeal shall lie at the instance of the party aggrieved from any inferior board council or tribunal to the Circuit Court on the same terms and conditions on which appeals may be granted to the Circuit Court in other cases and on such appeals the case shall be tried de novo.

Article VIII—

Apportionment.

Section 1. The House of Representatives shall consist of not less than seventy three, nor more than one hundred members. Each county now organized shall always be entitled to one representative; the remainder to be apportioned among the several Counties according to the number of adult male inhabitants, taking two thousand as the ratio, until the number of Representatives amounts to one hundred, when they shall not be further increased, but the ratio of representation shall, from time to time, be increased as hereinafter provided; so that the Representatives shall never exceed that number.

And until the enumeration of the inhabitants as taken by the United States Government, A. D. 1880, the Representatives shall be apportioned among the several counties as follows:

The County of Arkansas shall elect on Representative

The County of Ashley shall elect one Representative

The County of Benton shall elect two Representatives

The County of Boone shall elect one Representative

The County of Bradley shall elect one Representative

The County of Baxter shall elect one Representative

The County of Calhoun shall elect one Representative

The County of Carroll shall elect one Representative

The County of Chicot shall elect one Representative

The County of Columbia shall elect two Representatives

The County of Clark shall elect two Representatives

The County of Conway shall elect one Representative

The County of Craighead shall elect one Representative

The County of Crawford shall elect one Representative

The County of Cross shall elect one Representative

The County of Crittenden shall elect one Representative

The County of Clayton shall elect one Representative

The County of Dallas shall elect one Representative

The County of Desha shall elect one Representative

The County of Drew shall elect one Representative.
The County of Dorsey shall elect one Representative.
The County of Franklin shall elect one Representative.
The County of Fulton shall elect one Representative
The County of Faulkner shall elect one Representative.
The County of Grant shall elect one Representative
The County of Green shall elect one Representative
The County of Garlands shall elect one Representative
The County of Hempstead shall elect two Representatives
The County of Hot Spring shall elect one Representative
The County of Howard shall elect one Representative.
The County of Independence shall elect two Representatives
The County of Izyard shall elect one Representative.
The County of Jackson shall elect one Representative.
The County of Jefferson shall elect three Representatives
The County of Johnson shall elect one Representative
The County of Lafayette shall elect one Representative
The County of Lawrence shall elect one Representative
The County of Little River shall elect one Representative
The County of Lonoke shall elect one Representative
The County of Lincoln shall elect one Representative

The County of Lee shall elect two Representatives

The County of Madison shall elect one Representative

The County of Marion shall elect one Representative.

The County of Monroe shall elect one Representative

The County of Montgomery shall elect one Representative

The County of Mississippi shall elect one Representative

The County of Nevada shall elect one Representative

The County of Newton shall elect one Representative

The County of Ouachita shall elect two Representatives

The County of Perry shall elect one Representative

The County of Phillips shall elect three Representatives

The County of Pike shall elect one Representative

The County of Polk shall elect one Representative

The County of Pope shall elect one Representative

The County of Prairie shall elect one Representative

The County of Pulaski shall elect four Representatives

The County of Randolph shall elect one Representative

The County of Saline shall elect one Representative

The County of Sebastian shall elect one Representative

The County of Scott shall elect one Representative

The County of Searcy shall elect one Representative
The County of Sebastian shall elect two Representatives.
The County of Sevier shall elect one Representative
The County of Sharp shall elect one Representative.
The County of St Francis shall elect one Representative
The County of Stone shall elect one Representative.
The County of Union shall elect two Representatives
The County of Van Buren shall elect one Representative
The County of Washington shall elect three Representatives
The County of White shall elect two Representatives
The County of Woodruff shall elect one Representative
The County of Yell shall elect one Representative.

Section 2. The Legislature shall, from time to time, divide the State into convenient Senatorial Districts in such manner that the Senate shall be based upon the adult male inhabitants of the State; each Senator Representing an equal number as nearly as practicable, and until the enumeration of the inhabitants is taken by United States Government A.D. 1880, the districts shall be arranged as follows:

The Counties of Green, Craighead and Clayton, shall compose the first District and elect one Senator.

The Counties of Randolph, Lawrence and Sharp shall compose the Second District and elect one Senator.

The counties of Carroll Boone and Newton shall compose the third district and elect one senator.

The counties of Johnson and Pope shall compose the fourth District and elect one senator.

The county of Washington shall compose the fifth district and elect one senator

The counties of Independence and Stone shall compose the sixth district and elect one senator

The counties of Woodruff St Francis Cross and Crittenden shall compose the seventh district and elect one senator.

The Counties of Yell and Dauber shall compose the eight district and elect one senator.

The counties of Calvin Garland Hot Springs and Grant shall compose the ninth district and elect one senator.

The counties of Pulaski and Perry shall compose the tenth district and elect two senators.

The county of Jefferson shall compose the eleventh district and elect one senator.

The counties of Lonoke and Prairie shall compose the twelfth district and elect one senator.

The counties of Arkansas and Monroe shall compose the Thirteenth district and elect one senator.

The counties of Phillips and Lee shall compose the Fourteenth district and elect one senator.

The counties of Desha and Chicot shall compose the Fifteenth district and elect one senator.

The counties of Lincoln Jersey and Dallas shall compose the Sixteenth district and elect one senator.

The counties of Drew and Ashley shall compose the Seventeenth district and elect one senator.

The counties of Bradley and Union shall compose the Eighteenth district, and elect one senator.

The counties of Calhoun and Ouachita shall compose the Nineteenth district and elect one senator.

The counties of Hempstead ~~district~~ and Nevada shall compose the Twentieth district and elect one senator

The counties of Columbia and Lafayette shall compose the Twenty first district and elect one senator

The counties of Little River Sevier Howard and Polk shall compose the Twenty second district and elect one senator.

The counties of Fulton Izard Marion and Baxter shall compose the Twenty third

District and elect one Senator.

The Counties of Benton and Madison shall compose the Twenty fourth District and elect one Senator

The Counties of Crawford and Franklin shall compose the Twenty fifth District and elect one Senator.

The Counties of Van Buren, Conway and Searcy shall compose the Twenty sixth District and elect one Senator.

The Counties of White and Jackson shall Compose the Twenty seventh District and elect one Senator.

The Counties of Sebastian and Scott shall compose the Twenty eighth District and elect one Senator.

The Counties of Polnsett, Jackson and Mississippi shall compose ~~the~~ Twenty ninth District and elect one Senator.

The Counties of Pike, Clark and Montgomery shall compose the Thirtieth District and elect one Senator.

And the Senate shall never consist of less than Thirty nor more than thirty five Members

Section 3. Senatorial Districts shall at all times consist of Contiguous territory and no County shall be divided in the formation of a Senatorial district.

Section 4. The division of the State into Senatorial districts and the apportionment of Representatives to the several counties shall be made by the General Assembly at the first regular session after each enumeration of the

inhabitants of the State by the Federal or State Government, shall have been ascertained and set no. other line.

Article IX

Exemption.

Section 1. The personal property of any resident of this State who is not married or the head of a family, in specific articles to be selected by such resident not exceeding in value the sum of two hundred dollars, in addition to his or her wearing apparel, shall be exempt from seizure on attachment, or sale on execution or other process, from any court issued for the collection of any debt by contract: Provided, that no property shall be exempt from execution for debts contracted for the purchase money thereof while in the hands of the vendee.

Section. 2. The personal property of any resident of this State, who is married or the head of a family, in specific articles to be selected by such resident, not exceeding in value the sum of five hundreds dollars, in addition to his or her wearing apparel, and that of his or her family, shall be exempt from seizure on attachment, or sale on execution or other process from any court, on debt by contract.

Section. 3. The homestead of any resident of this State who is married or the head of a family, shall not be subject to the lien of any judgment or decree of any court, or to sale under execution, or to other process thereon, except such as may be rendered for the purchase money, or for specific liens, laborers or mechanics liens for improving the same, or for taxes, or against executors, administrators, guardians, receivers, attorneys for moneys collected

by them, and other trustees of an express trust, for moneys due from them in their fiduciary capacity.

Section 4. The homestead outside any City, town, or village, owned and occupied as a residence, shall consist not exceeding one hundred and sixty acres of land, with the improvements thereon to be selected by the owner; Provided, the same shall not exceed in value the sum of Twenty five Hundred dollars, and in no event shall the homestead be reduced to less than Eighty acres without regard to value.

Section 5. The homestead in any City town or village owned and occupied as a residence, shall consist of not exceeding one acre of land, with the improvements thereon to be selected by the owner, Provided, the same shall not exceed in value the sum of Twenty five Hundred dollars, and in no event shall such homestead be reduced, to less than one quarter of an acre of land, without regard to value.

Section 6. If the owner of a homestead dies leaving a widow, but no children, and such widow has no separate homestead in her own right, the same shall be exempt, and the rents and profits thereof shall vest in her during her natural life; Provided, That if the owner leave children, one or more, and such child or children, shall share with said widow, and be entitled to half the

dents and proofs, till each of them arrives at twenty one years of age - each shall's rights to cease at twenty one years of age - and the shares to go to the younger children, and them all to go to the widow; and, provided, that said widow or children may reside in the homestead or not. and in case of the death of the widow, all of said homestead shall be vested in the minor children, of the testator or intestate.

Section 7. The real and personal property of any female person in this state, acquired either before or after marriage, whether by gift, grant, inheritance, devise or otherwise, shall, so long as she may choose, be and remain her separate estate and property, and may be devised bequeathed, or conveyed by her. the same as if she were a male; and the same shall not be subject to the debts of her husband.

Section 8. The general assembly shall provide for the time and mode of ascertaining the separate personal property of married women.

Section 9. The exemptions contained in the constitution of 1868. shall apply to all debts contracted since the adoption thereof, and prior to the adoption of this constitution.

Section 10. The homestead provided for in this article shall inure to the benefit of the minor children, under the exemptions herein provided, after the decease of the parents

Article X.

Agriculture Mining and Manufacture.

Section 1. The general assembly shall pass such laws as will foster and aid the agricultural, Mining and manufacturing interests of the state, and may create a bureau to be known as the Mining, Manufacturing and Agricultural Bureau.

Section 2. The general assembly when deemed expedient may create the office of state Geologist, to be appointed by the Governor, by and with the advice and consent of the Senate, who shall hold his office for such time, and perform such duties, and receive such compensation as may be prescribed by law. Provided, that he shall be at all times subject to removal by the Governor for incompetency or gross neglect of duty.

Section 3. The general assembly may by general law, exempt from taxation for the term of seven years from the ratification of this Constitution the capital invested in any or all kinds of Mining and Manufacturing business in this state, under such regulations and restrictions as may be prescribed by law.

Article XI.

Militia

Section 1. The Militia shall consist of all able bodied male persons,

residents of the state, between the ages of Eighteen and forty five years, except such as may exempted by the laws of the United states, or this state; and shall be organized officered, armed and equipped and trained in such manner, as may be provided by law.

Section 2. Volunteer companies of Infantry Cavalry or Artillery, may be formed in such manner and with such restriction as may be provided by law.

Section 3 The volunteer and Militia forces shall in all cases, (except treason felony and breach of the peace) be privileged from arrest during their attendance at musters, and the election of officers, and in going to and returning from the same.

Section 4. The Governor shall when the general assembly is not in session have power to call out, the volunteers or Militia or both to execute the laws repel invasion repress insurrection and preserve the public peace; in such manner as may be authorized by law

Article XII.

Municipal and private Corporations

Section 1. All existing charters or grants of special or exclusive privileges; under which a bona fide organization shall not have taken place, and business been commenced in good faith at the time of the adoption of this Constitution shall thereafter have no validity;

Section 2. The general assembly shall pass no special act conferring corporate powers, except for charitable, educational, penal, or reformatory purposes, which the corporations created are to be and remain under the patronage and control of the state.

Section 3. The general assembly shall provide, by general laws, for the organization of cities (which may be classified) and incorporated towns, and restrict their power of taxation, assessment borrowing money and contracting debts, so as to prevent the abuse of such power.

Section 4. No municipal corporation shall be authorized to pass any laws contrary to the general laws of the state, nor levy any tax on real or personal property, to a greater extent, in one year than five mills on the dollar of the assessed value of the same; provided, that to pay indebtedness existing at the time of the adoption of this constitution an additional tax of not more than five mills on the dollar may be levied.

Section 5. No county city or town or other municipal corporation, shall become a stockholder in any company association or corporation; or obtain or appropriate money for, or loan its credit to any corporation, association, institution or individual

Section 6. Corporations may be formed under general laws which laws may from time to time be altered or repealed.

The general assembly shall have the power to alter revoke or annul any charter of incorporation now existing and revocable at the adoption of this constitution, or any that may hereafter be created, whenever in their opinion, it may be injurious to the citizens of this state; in such manner, however, that no injustice shall be done to the corporators.

Section 7. Except as herein provided, No state shall ever become a stockholder in or subscribe to, or be interested in the stock of any corporation or association.

Section 8. No private corporation shall issue stock or bonds except for money or property actually received or labor done and all fictitious increase of stock or indebtedness shall be void. nor shall the stock or bonded indebtedness, of any private corporation be increased, except in pursuance of general laws, nor until the consent of the persons holding the larger amount in value of stock, shall be obtained at a meeting held, after notice given, for a period not less than sixty days, in pursuance of law.

Section 9. No property nor right of way shall be appropriated to the use of any corporation until full compensation therefor shall be first made to the owner in money, or first secured to him by a deposit of money, which compensation, ascertained by a jury benefit proceeding improvements shall

posed by such corporation. shall be ascertained by a jury of twelve men, in a court of competent jurisdiction, as shall be prescribed by law

Section 10. No act of the general assembly shall be passed authorizing the issue of bills notes or other paper which may circulate as money.

Section 11. Foreign corporations may be authorized to do business in this state, under such limitations and restrictions as may be prescribed by law: Provided, That no such corporation shall do any business in this state, except while it maintains therein one or more known places of business, and an authorized agent or agents of the same, upon whom process may be served: and as to contracts made or business done in this state, they shall be subject to the same regulations, limitations and liabilities as like corporations of this state; and shall exercise no other or greater powers, privileges or franchises, than may be exercised by like corporations of this state, nor shall they have power to condemn or appropriate private property.

Section 12. Except as herein otherwise provided, the state shall never assume or pay the debt or liability of any county city town or other subdivision whatever, or any part thereof, unless such debt or liability shall have been created to repel invasion suppress insurrection or to provide for the public

welfare and defense. Nor shall the indebtedness of any corporation to the state, ever be released, or in any manner discharged save by payment into the public treasury.

Article XIII.

Counties. County seats and county lines.

Section 1. No county now established shall be reduced to an area of less than six hundred square miles, nor to less than five thousand inhabitants; nor shall any new county be established with less than six hundred square miles and five thousand inhabitants. Provided, That this section shall not apply to the counties of Lafayette, Pope and Johnson, nor be so construed, as to prevent the general assembly from changing the line between the counties of Pope and Johnson.

Section 2. No part of a county shall be taken off to form a new county, or a part thereof, without the consent of a majority of the voters in such part proposed to be taken off.

Section 3. No county seat shall be changed without the consent of a majority of the qualified voters of the county to the effected such change, nor until the place at which it is proposed to establish or change such county seat shall be fully designated;

Establishment or

Provided, That in formation of new counties, the county seat may be located temporarily by provisions of law.

Section 4. In the formation of new counties, no line thereof shall come within fifteen miles of the county seat of the county proposed to be divided, except the county seat of Lafayette county.

Section 5. Each county may have two districts and two county seats, at which county probate and circuit courts shall be held, as may be provided by law. Each district paying its own expenses.

Article XIV.

Education.

Section 1. Intelligence and virtue being the safeguards of liberty and the bulwark of a free and equal government, the state shall ever maintain a general suitable and efficient system of free schools, whereby all persons in the state, between the ages of six and twenty one years, may receive gratuitous instruction.

Section 2. The money or property belonging to the public school fund, or to this state, for the benefit of schools or universities, shall ever be used for any other than for the respective purposes to which it belongs.

Section 3. The general assembly shall provide by general laws for the support of common schools by taxes which shall never exceed six mills on the dollar of the taxable property of the state; and by an annual per capita tax of one dollar to be assessed on every male inhabitant of this state over the age of twenty one years. Provided, the general assembly may by general law, authorize school districts to levy by a vote of the qualified electors of such district a tax not to exceed five mills on the dollar per any one year, for school purposes, provided further that no such tax shall be appropriated to any other purpose, nor to any other district than that for which it was levied.

Section 4. The supervision of public schools and the execution of the laws regulating the same, shall be vested in and confided to, such officers as may be provided for by the general assembly.

Article XV.

Impeachment and address.

Section 1. The Governor and all state officers, judges of the supreme and circuit courts, chancellors and prosecuting attorneys, shall be liable to impeachment for high crimes and misdemeanors, and gross misconduct in office, but the judgement shall go no further than removal from office, and disqualification to hold any office of honor trust or profit under this state. But impeachment whether successful or not, shall be no bar to an indictment.

Section 2. The House of Representatives shall have the sole power of impeachment. All impeachments shall be tried by the senate. When sitting for that purpose, the senators shall be upon oath or affirmation; no person shall be convicted without the concurrence of two-thirds of the members thereof.

The chief justice shall preside, unless he is impeached or otherwise disqualified when the senate shall select its presiding officer.

Section 3. The Governor upon the joint address of two thirds of all the members elected to each house of the general assembly, for good cause may remove the auditor treasurer, secretary of state, attorney general, judges of the supreme and circuit courts chancellors and prosecuting attorneys.

Article XVI.

Finance and taxation.

Section 1. Neither the State nor any city, county, town or other municipality in this State shall ever loan its credit for any purpose whatever. Nor shall any county, city, town, or other municipality ever issue any interest-bearing evidences of indebtedness; except such bonds as may be authorized by law to provide for and procure the payment of the present existing indebtedness. And the State shall never issue any interest-bearing Treasury warrants or scrip.

Section 2. The General Assembly shall

from time to time provide for the payment of all just and legal debts of the State.

Section. 3. The making of profit out of public money, or using the same for any purpose not authorized by law, by any officer of the State, or member or officer of the General Assembly shall be punishable as may be provided by law, but part of such punishment shall be disqualification to hold office in this State for a period of five years.

Section. 4. The General Assembly shall fix the salaries and fees of all officers in the State; and no greater salary or fee than that fixed by law shall be paid to any officer, employee or other person, or at any other rate than par value; and the number and salaries of the clerks and employees of the different departments of the State shall be fixed by law.

Section. 5. All property subject to taxation shall be taxed according to its value, that value to be ascertained in such manner as the General Assembly shall direct, making the same equal and uniform throughout the State. No one species of property from which a tax may be collected, shall be taxed higher than another species of property of equal value; Provided, the General Assembly shall have power from time to time to tax hawkers, peddlers, jerseys, exhibitions and privileges in such manner as may be deemed proper. Provided further, that the following property shall be exempt from taxation: Public property used exclusively for public purposes; churches, and so much; Cemeteries used exclusively as such; school buildings and apparatus; libraries and grounds

used exclusively for school purposes; and buildings and grounds and materials used exclusively for public charity.

Section. 6. All laws exempting property from taxation other than as provided in this Constitution shall be void.

Section. 7. The power to tax corporations and corporate property shall not be surrended or suspended by any contract or grant to which the State may be a party.

Section. 8. The General Assembly shall not have power to levy State taxes for any one year to exceed in the aggregate one percent of the assessed valuation of the property of the State for that year.

Section. 9. No county shall levy a tax to exceed one half of one per cent for all purposes; but may levy an additional one half of one per cent to pay indebtedness existing at the time of the ratification of this Constitution.

Section. 10. The taxes of Counties towns and cities shall only be payable in lawful Currency of the United States, or the orders or warrants of said counties, towns and cities respectively

Section. 11. No tax shall be levied except in pursuance of law and every law imposing a tax shall state distinctly the object of the same and no money arising from a tax levied for any purpose shall be used for any other purpose

Section 12. No money shall be paid out of the Treasury unless the same shall have been appropriated by law; and then only in accordance with said appropriation.

Section 13. Any citizen of any county, city or town may institute suit, in behalf of himself and of all others interested, to protect the inhabitants thereof against the enforcement of any illegal exactions whatever.

Article XVII

Railroads, Canals and Turnpikes

Section 1. All railroads, canals and turnpikes shall be public highways, and all railroads and canal companies shall be common carriers. Any association or corporation organized for the purpose, shall have the right to construct and operate a railroad between any points within this State, and to connect at the state line with railroads of other States. Every railroad company shall have the right with its road to intersect, connect with or cross any other road, and shall receive and transport each others passengers, tonnage and cars loaded or empty without delay or discrimination

Section 2. Every railroad canal or turnpike corporation organized or partly organized in this State shall maintain one office therein where transfers of stock shall be made and where its books shall be kept for inspection by any stockholder or creditor of such corporation; In which shall be recorded the capital stock subscribed or paid in and the amounts owned by them respectively, the transfer of said stock, and the names and the places of residence of the -

officers.

Section 3. All individuals associations and corporations shall have equal right- to have persons and property transported over railroads, canals and turnpikes; and no undue or unreasonable discrimination shall be made in charges for, or in facilities for transportation of freight- or passengers within the State, or coming from or going to another state. Persons and property transported over any railroad shall be delivered at any station at- charges not exceeding the charges for transportation of persons and property of the same class, in the same direction, to any more distant station. But excursion and commutation tickets may be issued at special rats

Section 4. No railroads, canal or other corporation, or the lessees, purchasers or managers of any railroad, canal or corporation shall consolidate the stock property or franchises of such corporation with or lease, or purchase the works or franchises of, or in any way control any other railroad or canal corporation owning or having under its control a parallel or competing line, nor shall any officer of such railroads or canal corporation act as an officer of any other railroads or canal corporation owning or having control of a parallel or competing line; and the question whether railroads or canals are parallel or competing lines shall, when demanded by the party complainant, be decided by a jury as an other civil issues.

Section 5. No president, director, officer agent, or employee of any railroad or

canal company, shall be interested, directly or indirectly, in the furnishing of material or supplies to such company or in the business of transportation as a common carrier of freight or passengers over the works owned, leased, controlled or worked by such company. Nor in any arrangement which shall afford more advantageous terms, or greater facilities than are offered or accorded to the public. And all contracts and arrangements in violation of this section shall be void.

Section. 6. No discrimination in charges or facilities for transportation shall be made between transportation companies and individuals, or in favor of either by abatement, drawback or otherwise; and no railroad or canal company, or any lessee, manager or employe thereof shall make any preference in furnishing cars or motive power.

Section. 7. The General Assembly shall prevent by law the granting of free passes by any railroad or transportation company to any officer of this State, legislative, executive or judicial

Section. 8. The General Assembly shall not remit the forfeiture of the charter of any corporation now existing, or alter or amend the same, or pass any general or special law for the benefit of such corporation, except on condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution.

Section 9. The exercise of the right of eminent domain shall never be abridged or so emetmed as to prevent the general assembly from taking the property and franchises of incorporated companies, and subjecting them to public use the same as the property of individuals.

Section 10. The general assembly shall pass laws to correct abuses and prevent unjust discrimination and excessive charges by railroad canal and turnpike companies, for transporting freight and passengers, and shall provide for the enforcing of such laws by adequate penalties and forfeitures.

Section 11. That rolling stock and all other movable property belonging to any railroad company or corporation in this state, shall be considered personal property and shall be subject to execution and sale, in the same manner as the personal property of individuals and the general assembly shall pass no law exempting any such property from execution or sale.

Section 12. All railroads, which are now or may hereafter be built and operated entire or in whole or in part in this state shall be responsible for all damages to persons and property under such regulations as may be prescribed by the general assembly.

Section 13. The directors of every road corporation shall annually make a report under oath to the Auditor of Public accounts of all their acts and doings, which reports shall include such matters relating to said roads as may be prescribed by law, and the general assembly shall pass laws enforcing by suitable penalties the provisions of this section.

Article XVIII.

Judicial Circuits

Until otherwise provided by the General assembly the judicial circuits shall be composed of the following Counties

First. Phillips Lee St Francis Prairie. Woodruff White and Monroe.

Second. Mississippi Crittenden Cross. Poinsett, Craighead Greene, Clayton and Randolph.

Third. Jackson Independence Lawrence Shark. Fulton Izard Stone and Baxter.

Fourth. Marion Boone. Searcy Newton, Madison Carroll Benton and Washington.

Fifth. Pope Johnson Franklin Crawford. Sebastian Scebee and Yell.

Sixth. Lonoake Pulaski Jefferson

and Faulkner.

Seventh Grant Hot Springs Garland Quy. Saline and Conway.

Eight. Scott. Montgomery Polk. Howard. Sevier. South Riber Pike and Clark

Ninth. Hempstead Lafayette Nevada. Columbia. Union Ouachita and Calhoun.

Tenth. Chicot Drew. Ashley Bradley Dorsey and Dallas.

Eleventh. Desha. Arkansas. Lincoln and Jefferson.

Until otherwise provided by the general assembly the circuit courts shall be begun and held in the several counties as follows.

First Circuit.

White— First monday in February and August.

Woodruff— Third Monday in February and august.

Poinsett — Second monday after the third monday in February and August.

Monroe — Fifth monday after the third monday in February and August.

St Francis Eighth Monday after the third monday in February and August.

Lee.— Tenth monday of the third

monday in February and August

Phillips. The twelfth monday after the third monday in February and August.

Second Circuit.

Mississippi — First monday in march and september.

Bittenden — Second Monday in March and septemben.

Ross. — Second monday after the second Monday in March and September.

Poinsett — Third monday after the second monday in March and September.

Craighead. — Fourth monday after the second monday in March and September.

Greene. — Fifth monday after the second monday in March and September.

Clayton. Seventh monday after the second monday in March and September.

Randolph. Ninth monday after the second monday in March and September.

Third Circuit.

Jackson — First Monday in March and September.

Lawrence. Third monday in March and September.

Shark. Second monday after the fourth monday in march and septembr.

Pulin— Fourth monday after the fourth monday in march and septembr.

Bayly. Fifth monday after the fourth monday in march and septembr.

Lyard— Seventh monday after the fourth monday in march and septembr.

Stone. Sixth monday after the fourth monday in march and septembr

Independence— Tenth monday after the fourth monday in March and septembr.

Fourth Circuit.

Marion. Second monday in February and august.

Boone.—Third monday in February and august.

Searcy— Second) monday after the third monday in February and august.

Newton. Third monday after the third monday in February and august

Carroll.— Fourth monday after the third monday in February and

august.

Madison. Fifth monday after the third monday in February and august.

Benton. Sixth monday after the third monday in February and august.

Washington— Eight monday after the third monday in February and august.

Fifth Circuit.

Greenwood district— Sebastian County. Third Monday in February and august.

Fortsmith district. Sebastian County. First monday after the fourth monday in February and august.

Crawford County.— Fourth monday after the fourth monday in February and august.

Franklin County.— Fifth monday after the fourth monday in February and august.

Yell County. Fourth monday after the fourth monday in February and august.

Pope County. Twelfth monday after the fourth monday in February and august.

Johnson County. Fourteenth monday after the fourth monday in February and August.

Sixth Circuit.

In the county of Pulaski on the first monday in February. and continue twelve weeks if the business of said court requir it.

In the county of Lonoke on the first monday succeeding the Pulaski Court. and continue two weeks. if the business of said court requir it.

In the county of Faulkner on the first monday after the Lonoke Court. and continue two weeks if the business of said court requir it

In the county of Van Buren. on the first monday after the Faulkner Court. and continue two weeks if the business of said Court requir it.

Fall term Sixth Circuit.

In the county of Pulaski on the first monday in October and continue seven weeks. if the business of said court requir it

In the county of Lonoke on the first monday next after the Pulaski court and continue two weeks if the business of said court requir it

In the county of Faulkner on the

fust munday aftu the Lonoke Court and continue one week if the busin of said Court require it.

In the County of Van Buren on the fust munday aftu the Faulkner Court. and continue one week if the busines of said Court require it.

Seventh Circuit.

Hot Spring — Second Munday in March and septembu.

Grant. — Third munday in March and septembu.

Saline — Fourth munday in March and septembu.

Conway — Second Munday aftu the fourth munday in March and septembu.

Perry — Fourth munday aftu the fourth munday in March and septembu.

Garland. Fifth munday aftu the fourth munday in March and septembu.

Eighth Circuit.

Montgomery — Fust munday in Februay and augest.

Scott. Fust munday aftu the fust munday in Februay and augest

Polk – Second Monday after the first Monday in February and August

Sevier – Third Monday after the first Monday in February and August.

Little River – Fifth Monday after the first Monday in February and August.

Howard – Seventh Monday after the first Monday in February and August.

Pike – Eighth Monday after the first Monday in February and August.

Clark – Ninth Monday after the first Monday in February and August.

Ninth Circuit

Calhoun – First Monday in March and September

Union – Second Monday after the first Monday in March and September.

Columbia – Fourth Monday after the first Monday in March and September.

Lafayette – Sixth Monday after the first Monday in March and September.

Hempstead – Eighth Monday after the first Monday in March and September

Nevada – Eleventh Monday after the first Monday in March and September

Ouachita – Thirteenth Monday after the first Monday in March and September

Tenth Circuit.

Dorsey - Third Monday in February and August.

Dallas - First Monday in March and September

Bradley - Second Monday in March and September

Ashley - Third Monday in March and September

Drew - Second Monday after the third Monday in March and September.

Chicot - Fourth Monday after the third Monday in March and September.

Eleventh Circuit.

In the County of Desha on the first Monday in March and September.

In the County of Arkansas on the fourth Monday in March and September.

In the County of Lincoln on the third Monday after the fourth Monday in March and September

In the County of Jefferson on the sixth Monday after the fourth Monday in March and September.

Article XIX.

Miscellaneous Provisions

Section. 1. No person who denies the being of a God shall hold any office in the civil departments of this State nor be competent to testify as a witness in any court.

Section. 2. No person who may hereafter

fight a duel, assisting the same as second, or send, accept, or knowingly carry a challenge therefor, shall hold any office in the State, for a period of ten years, and may be otherwise punished as the law may prescribe.

Section. 3. No person shall be elected to, or appointed to fill a vacancy in, any office who does not possess the qualifications of an elector.

Section 4. All civil officers for the state at large shall reside within the State and all district, County and township officers within their respective districts, Counties, and townships, and shall keep their offices at such places therein as are now, or may hereafter be required by law.

Section. 5. All officers shall continue in office after the expiration of their official terms, until their successors are elected and qualified.

Section 6. No person shall hold or perform the duties of more than one office in the same department of the Government at the same time, except as expressly directed or permitted by this Constitution.

Section. 7. Absence on business of the State or of the United States, or on a visit, or on necessary private business shall not cause a forfeiture of residence once obtained

Section. 8. It shall be the duty of the General Assembly to regulate by law in what cases and what deductions from the salaries of public officers shall be made for neglect-

of duty in their official capacity.

Section. 9. The General Assembly shall have no power to create any permanent State Office not expressly provided for by this Constitution.

Section. 10. Returns for all elections, for Officers who are to be commissioned by the Governor, and for members of the General Assembly except as otherwise provided by this Constitution, shall be made to the Secretary of State.

Section 11. The Governor, Secretary of State, Auditor, Treasurer, Attorney-General, Judges of the Supreme Court, Judges of the Circuit Court, Commissioner of State Lands, and Prosecuting Attorneys, shall each receive a salary to be established by law, which shall not be encreased or diminished during their respective terms, nor shall any of them, except the Prosecuting Attorneys, after the adoption of this Constitution, receive to his own use any fees, costs, perquisites of Office, or other compensation; and all fees that may hereafter be payable by law, for any service performed by any Officer mentioned in this Section, except Prosecuting Attorneys, shall be paid in advance into the State Treasury; Provided, that the salaries of the respective Officers herein mentioned shall never exceed per annum:

For Governor, the sum of	$4,000
For Secretary of State the sum of	$2,500
For Treasurer of State the sum of	$3,000.

For Auditor of State the sum of $3,000

For Attorney-General the sum of $2,500

For Commissioner of State Lands the sum of $2,500

For Judges of the Supreme Court each the sum of $4,000

For Judges of the Circuit Courts and Chancellors, each, the sum of $3000

For Prosecuting Attorneys the sum of $1500

And provided further, That the General Assembly shall provide for no increase of salaries of its members which shall take effect before the meeting of the next General Assembly.

Section. 12. An accurate and detailed statement of the receipts and expenditures of the public money, the several amounts paid, to whom and on what account; shall, from time to time, be published as may be prescribed by law.

Section. 13. All contracts for a greater rate of interest than ten per centum per annum shall be void as to principal and interest, and the General Assembly shall prohibit the same by law; but when no rate of interest is agreed upon the rate shall be six per centum per annum.

Section 14. No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.

Section. 15. All stationery, printing, paper and fuel, for the use of the General Assembly and

other departments of government, shall be furnished, and the printing, binding and distributing of the laws, journals, department reports, and all other printing and binding, and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its Committees, shall be performed under contract, to be given to the lowest responsible bidder, below such maximum prices and under such regulations as shall be prescribed by law. No member or officer of any department of the government, shall in any way be interested in such contracts, and all such contracts shall be subject to the approval of the Governor, Auditor and Treasurer.

Section. 16. All contracts for erecting or repairing public buildings or bridges in any County, or for materials therefor, or for providing for the care and keeping of paupers, where there are no almshouses, shall be given to the lowest responsible bidder, under such regulations as may be provided by law.

Section. 17. The laws of this State civil and Criminal shall be revised, digested, arranged, published and promulgated at such times and in such manner as the General Assembly may direct.

Section. 18. The General Assembly, by suitable enactments shall require such appliances and means to be provided and used as may be necessary to secure, as far as possible, the lives, health and

safety of persons employed in mining, and of persons travelling upon railroads, and by other public conveyances, and shall provide for enforcing such enactments by adequate forfeits and penalties.

Section. 19. It shall be the duty of the General Assembly to provide by law for the support of institutions for the education of the deaf and Dumb and of the blind; and also for the treatment of the insane.

Section 20. Senators and Representatives and all Judicial and Executive, State and County Officers and all other Officers, both civil and Military, before entering on the duties of their respective Offices; shall take and subscribe to the following oath or affirmation: "I — do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Arkansas, and that I will faithfully discharge the duties of the Office of — , upon which I am now about to enter;"

Section. 21. The qualifications upon the official bonds of all State Officers shall be resident of, and have sufficient property within the State, not exempt from sale under execution, attachment or other process of any court, to make good their bonds; and the qualifications upon the official bonds of all county Officers shall reside within the Counties where such Officers reside; and shall have sufficient property therein not exempt from such sale, to make good their bonds.

Section. 22. Either branch of the General Assembly, at a regular session thereof,

may propose amendments to this Constitution, and if the same be agreed to by a majority of all the members elected to each house, such proposed amendments shall be entered on the journals with the "yeas and nays", and published in at least one newspaper in each county, where a newspaper is published, for six months immediately preceding the next general election for Senators and Representatives, at which time the same shall be submitted to the electors of the State, for approval or rejection; and if a majority of the electors voting at such election adopt such amendments, the same shall become a part of this Constitution; but no more than three amendments shall be proposed or submitted at the same time. They shall be so submitted as to enable the electors to vote, on each amendment separately

Section 23. No Officer of this State, nor of any County, city, or town, shall receive, directly, or indirectly, for salary, fees and perquisites more than five thousand dollars, net profits per annum in par funds; and any, and all sums in excess of this amount shall be paid into the State, County, city, or town Treasury, as shall thereafter be directed by appropriate legislation.

Section 24. The General Assembly shall provide by law the mode of contesting elections in cases not specifically provided for in this Constitution

Section 25. The present Seal of the State shall be and remain the Seal of the State of Arkansas unless otherwise

provided by law, and shall be kept and used as provided in this Constitution.

Section. 26. Militia officers, and officers of the public schools and Notaries, may be elected to fill any legislative or Judicial office.

Section. 27. Nothing in this Constitution shall be so construed as to prohibit the General Assembly from authorizing assessments on real property for local improvements, in towns and cities, under such regulations as may be prescribed by law; to be based upon the consent of a majority in value of the property holders owning property adjoining the locality to be affected; but such assessment shall be ad valorem and uniform

Schedule

Section 1. All laws now in force, which are not in conflict or inconsistent with this Constitution, shall continue in force until amended or repealed, by the General Assembly; and all laws vesting or taking property from sale on execution, or by decree of a court, which were in force at the time of the adoption of the Constitution of 1868 shall remain in force with regard to contracts made before that time. Until otherwise provided by law no distinction shall exist between sealed and unsealed instruments concerning contracts between individuals executed since the adoption of the Constitution of 1868; Provided: That the statute of limitation with regard to sealed and unsealed instruments in

force at that time, continue to apply to all instruments after-wards executed, until altered or repealed.

Section 2. In civil actions no witness shall be excluded because he is a party to the suit or interested in the issue to be tried; Provided: That in actions by or against executors, administrators, or guardians, in which judgment may be rendered for or against them, neither party shall be allowed to testify against the other as to any transactions with or statements of the testator, intestate or ward, unless called to testify thereto by the opposite party Provided further that this section may be amended or repealed by the General Assembly.

Section. 3. An election shall be held at the several election precincts of every County in the State on Tuesday the 13th day of October 1874 for Governor, Secretary of State, Auditor, Treasurer, Attorney-General, Commissioners of State Lands (for two years unless the office is sooner abolished by the General Assembly) Chancellor and Clerk of the Separate Chancery Court of Pulaski County Chief Justice and two Associate Justices of the Supreme Court & Circuit Judges and Prosecuting Attorney for each Judicial Circuit Provided for in this Constitution, Senators and Representatives to the General Assembly, all County and Township Officers Provided for in this Constitution, and also for the submission of this Constitution to the qualified electors of the State for its adoption or rejection.

Section 4. The qualified voters at the election to be held as provided in this Schedule shall be the same as is now prescribed by law.

Section 5. The State Board of Supervisors hereinafter mentioned shall give notice of said election immediately after the adoption of this Constitution by this Convention, by proclamation in at least two newspapers published at Little Rock, and such other newspapers as they may select. And each County Board of Supervisors shall give public notice, in their respective counties, of said election, immediately after their appointment

Section. 6. The Governor shall also issue a proclamation enjoining upon all peace Officers the duty of preserving good order on the day of said election, and preventing any disturbance of the same

Section. 7. Augustus H. Garland, Gordon N. Peay and Dudley E. Jones, are hereby constituted a State Board of Supervisors of said election, who shall take an oath faithfully and impartially to discharge the duties of their Office; a majority of whom shall be a quorum, and who shall perform the duties herein assigned them. Should a vacancy occur in said Board, by refusal to serve, death, removal resignation, or otherwise; or if any member should become incapacitated from performing said duties the remaining members of the Board shall fill the vacancy by appointment. But if all the places on said Board become vacant at the same time the said vacancies shall be filled by the President of this

convention

Section 8. Said state Board shall at once proceed to appoint a Board of election supervisors for each county of this state consisting of three men of known intelligence and uprightness of character, who shall take the same oath as above provided, for the state Board. A majority of each board shall constitute a quorum and shall perform the duties therein assigned to them; and vacancies occuring in the county Board, shall be filled by the State Board

Section 9. The state Board shall provide the form of poll books, and each county Board shall furnish the judges of each election precinct with three copies of poll books in the form prescribed, and both ballot boxes at the expense of the county.

Section 10. The state Board of supervisors shall cause to be furnished in pamphlet form a sufficient number of copies of this constitution to supply each county supervisor and judge of election, with a copy, and shall forward the same to the county election Board for distribution.

Section 11. The Board of county electors supervisors shall at once proceed to appoint three judges of elections for each election precinct in their respective counties; and the judges shall appoint three election clerks, for their respective precincts all of whom shall be good and competent men, and take an oath

as prescribed above. Should the judges of any election precinct fail to attend at the time and place provided by law, or decline to act, the assembled electors shall choose competent persons in the manner provided by law to act in their place, who shall be sworn as above.

Section 72. Said election shall be conducted in accordance with existing laws except as herein provided. As the electors present themselves at the polls to vote, the judges of the election shall pass upon their qualifications and the clerks of the election shall register their names on the poll books if qualified, and such registrations by said clerks shall be a sufficient registration in conformity with the constitution of this state, and then their votes shall be taken.

Section 73. Each elector shall have written or printed on his ticket "for constitution" or "against constitution," and also the offices and the names of the candidates for the offices for whom he desires to vote.

Section 74. The judges shall deposit the tickets in the ballot box; but no election shall vote outside of the township or wards in which he resides. The names of the electors shall be numbered and the corresponding numbers shall be placed on the ballots by the judges when deposited.

Sect. 75. All drunkards and

drinking houses, in this state shall be closed during the day of said election and the succeeding night; and any person selling or giving away intoxicating liquors during said day or night, shall be punished by a fine not less than two hundred dollars for each and every offence or imprisonment not less than six months or both.

Section 16. The polls shall be opened at Eight o'clock in the forenoon and shall be kept opened until sunset. After the polls are closed the ballots shall be counted by the judges at the place of voting as soon as the polls are closed unless prevented by violence or accident and the results by them entered on the poll books, and the ballots sealed up. They shall be returned to the county Board of election supervisors who shall proceed to cast up the votes and ascertain and state, the number of votes cast for the constitution and the number cast against the constitution; and also the number of votes cast for each candidate voted for, for any office, and shall forthwith provided to the state board of superisors duly certified by them, one copy of the statement, or abstract of the votes so made out by them, retain one copy in their possession and file one copy in the office of the county clerk whose they shall also deposit for safe keeping the ballots sealed up and one copy of

the poll books, retaining possession of the other papers.

Section 17. The state board of canvassers shall at once proceed on receiving such returns from the county boards, to ascertain therefrom, and state the whole number of votes given for the constitution and the whole number given against it, and if a majority of the votes cast be in favor of the constitution they shall at once make public that fact, by publication in two or more of the leading newspapers published in the city of Little Rock and this constitution from that date shall be in force; and they shall also make out and file in the office of the secretary of state an abstract of all the votes cast for the constitution and all the votes cast against it, and also an abstract of all votes cast for every candidate voted for at the election and file the same in the office of secretary of state, showing the candidates elected. They shall also make out and certify and lay before each house of the general assembly a list of the members elected to that house, and shall also make out certify and deliver to the speaker of the house of Representatives an abstract of all votes cast at the election for any and all persons for the office of Governor, Secretary of State, Treasurer of state, Auditor of state, attorney General and Commissioner of state lands, and the said Speaker shall cast up the votes

and announce the names of the persons elected to these offices. The Governor, secretary of state. Treasurer of state, Auditor of state, attorney General and Commissioner of state Lands. Chosen at said election shall qualify and enter upon the discharge of the duties of their respective offices within fifteen days after the announcement of their election as aforesaid.

Section 18. All officers shown to be elected by the abstract of said election filed by the state board of supervisors in the office of the secretary of state required by this constitution to be canvassed, shall be commissioned by the Governor.

Section 19. At said elections the qualified voters of each county and senatorial district as defined in Article Eight of this constitution shall elect respectively, representatives and senators according to the numbers and apportionment contained in said Article. The Board of election supervisors of each county shall furnish certificates of election to the persons elected to the House of Representatives as soon practicable after the result of the election has been ascertained & such board of election supervisors in each county make a canvass return of the election for senators to the Board of election supervisors of the county first named in the senatorial apportionment, and said Board shall furnish certificates of election

to the person or persons elected as Senator or Senators in said Senatorial District as soon as practicable.]

Section. 20. All Officers elected under this Constitution, except the Governor, Secretary of State, Auditor of State, Treasurer Attorney General and Commissioner of State Lands shall enter upon the duties of their several Offices when they shall have been declared duly elected by said State Board of Supervisors, and shall have duly qualified. All such Officers shall qualify and enter upon the duties of their Offices within fifteen days after they have been duly notified of their election

Section. 21. Upon the qualification of the Officers elected at said election the present incumbents of the offices for which the election is held shall vacate the same and turn over to the Officers thus elected and qualified all books papers, records, moneys and documents belong or pertaining to said Offices by them respectively held.

Section. 22. The first session of the General Assembly under this Constitution shall commence the first Tuesday after the second Monday in November 1874.

Section. 23. The County courts provided for in this Constitution shall be regarded in law as a continuation of the Boards of Supervisors now existing by law and the Circuit courts shall be regarded in law as continuations of the Criminal Courts wherever the same may have existed in their respective Counties; and the Probate

Courts shall be regarded as continuations of the Circuit Courts for the business within the jurisdiction of such Probate Courts and the papers and records pertaining to said Courts and jurisdictions shall be transferred accordingly; and no suit or prosecution of any kind shall abate because of any change made in this Constitution

Section. 24. All Officers now in office whose offices are not abolished by this Convention shall continue in office and discharge the duties imposed on them by law until their successors are elected and qualified under this Constitution the Office of Commissioner of State lands shall be continued; Provided, That the General Assembly at its next session may abolish or continue the same in such manner as may be prescribed by law.

Section. 25. Any election Officer appointed under the provisions of this Schedule who shall fraudulently and corruptly permit any person to vote illegally or refuse the vote of any qualified elector cast up or make a false return of said election, shall be deemed guilty of a felony and on Conviction thereof shall be imprisoned in the Penitentiary not less than five years nor more than ten years; And any person who shall vote when not a qualified elector or vote more than once, or bribe any one to vote contrary to his wishes or intimidate or prevent any elector by threats menaces or promises from voting shall be guilty of a felony and upon Conviction thereof shall be imprisoned in

the Penitentiary not less than one nor more than five years.

Section. 26. All Officers elected at the election provided for in this Schedule shall hold their Offices for the respective periods provided for in the foregoing Constitution and until their successors are elected and qualified.

The first general election after the ratification of this Constitution shall be held on the first Monday of September A D 1876. Nothing in this Constitution and the Schedule thereto shall be so construed as to prevent the election of Congressmen at the time as now prescribed by law.

Section 27. The sum of five thousand dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated to defray the expenses of the election provided for in this Schedule and the Auditor of State shall draw his warrants on the Treasurer for such expenses not exceeding said amount on the certificate of the State Board of Supervisors of election.

Section. 28. For the period of two years from the adoption of this Constitution, and until otherwise provided by law, the respective Officers herein enumerated shall receive for their services the following salaries per annum:

For Governor, the sum of	$ 3,500
For Secretary of State the sum of	2,000
For Treasurer, the sum of	2,500
For Auditor the sum of	2,500

For Attorney-General the sum of $2000

For Commissioner of State Lands the sum of $2000

For Judges of the Supreme Court each the sum of $3500

For Judges of Circuit and Chancery Courts each -
- the sum of $2500

For Prosecuting Attorneys, each the sum of $400

For Members of the General Assembly, the sum of $6 per day, and 20 cents per mile for each mile traveled in going to and returning from the seat of government, over the most direct and practicable route.

The question recurred upon the adoption of the Constitution as a whole

The roll was called and the following named members voted in the affirmative

Anderson of Lee. Anderson of Craighead. Bunch
Butler of Independence. Bailey. Bunn.
Blackwell. Brown. Bates. Bowen.
Bypert of Baxter. Cunningham. Crowley.
Carroll - Cabler. Carter. Cagle.
Chism. Dunaway. Doswell. Eakin
Eagle. Frierson Fishback Gibson
Gatland Gulley. Goodrich. Howe
Hampton. Harrison. Horner. Hughes.
Hawkins. Hanna. Howell Killgore.
Kelly. Kingsworthy Leiper Lester.
Lindsey Lake. Mosley. Mansfield
Miller Moen. Patterson. Pumphrey.
Parrott. Pulliam. Rogers. Ross.
Rector. Rutherford. Reinhardt Smoot
Stanley Scott Smith of Saline.
Sorrels. Thomason of Crawford.
Thomason of Washington Thompson
Williams of Jefferson Williams of Little River

Williams, J Sharp. Williams, J Union.
Walker & Witt & Mr President.

Those voting in the negative were

Barnes. Copeland. Downs. Jones. O'Sullivan
Murphy. Perkins. Polk. Smith J Lafayette.

In the affirmative 72.
In the negative 9
Not voting 10
91

So the Constitution as a whole was adopted and the signing thereof proceeded with.
Mr Barnes of Pulaski sent to the Secretary's desk the following explanation of his vote

I decline to vote for the adoption of this Constitution for the following reasons
1st I do not believe the Legislature of Arkansas had any power or authority to call this Convention the mode or manner of altering, amending or changing the Constitution of 1868 is by and through the Legislature under article thirteen of said Constitution of 1868
2nd The proposed Constitution indirectly looks to the repudiation of the entire State debt, the power of taxation is so limited that no part of the interest or principal of said debt will ever be paid thereby destroying the credit and honor of the State and prevent its growth and prosperity.
3rd It virtually destroys the common school system and prevents the education of the children of the State
4th It provides for its ratification without a majority vote of the electors of the State and it also provides for its change, amendment or alteration without a majority of all the electors

of the state, thereby rendering insecure the rights of the people

5th It virtually denies to the Republican party any participation in the appointment of election officers, to hold the various elections in this state, and enables the dominant party if disposed, to practice with impunity immense frauds and outrages at elections.

6th. The Instrument taken as a whole is in my judgement subversive of the rights and liberties of the people.

Sidney H. Bowers,

Mr Copeland & Mr Burns desired their names be attached to the explanation made by Mr Burns of Pulaski of his vote

Mr Thomson of Crawford. Butler of Independence and Stewart of Lasalle were appointed as a committee to wait upon the members of the city absent on account of sickness and ascertain how they desired to cast their votes on the final adoption of the constitution.

The committee having discharged their duties made the following report.

Mr President

Your committee appointed to wait upon Mr Flanagan, Johnson and Joyner have performed the duty assigned them, and respectfully report that they were requested by said gentlemen severally to cast their votes in the affirmative

The convention then took a recess until 4 o clock P.M.

After the Recess.

The convention met at 4 o clock P.M.

A. Quorum present.

Mr Cypert of white appeared in his seat and presented to his name, and asked permission to record his vote on the adoption of the Constitution and sign the same.

Which was granted

The unfinished business was then taken up. being the ordinance abolishing Certain offices introduced by Mr. Pullian of education

The question was taken and the section reconsidered. — I was

The question then recurred upon the adoption of the Ordinance as amended.

The roll was called and the following named members voted in the affirmative

Anderson of Lee.	Branch.	Butler of	Independence
Brown.	Brown.	Brown.	Cypert of Baylor
Crowley.	Carroll.	Chism.	Downs.
Dunaway.	Eagle.	Fishback	Garland
Gulley.	Goodwin.	Grace.	Hanson
Hughes.	Hanna.	Howell.	Jones.
Killgore	Kinsworthy	Lucas.	Lake
Mansfield.	Miller	Niven	Patterson
Parrott.	Pulliam.	Rogers.	Rutherford
Stanley	Scott.	Smith of	Sebastian

Sorrels. Thomason, J Washington. Williams of Little Tenn
Williams of Sharp. Williams of Union & Wilk.

Those voting in the negative were

Butler, J Pickens. Berry. Bailey. Barnes.
Bryant, J Orbits. Cunningham. Cabler.
Cagle. Doswell. Elkin. Frierson.
Harrison Hawkins. Kelly. Lindsey.
O'Sullivan. Rumbley. Perkins. Rector.
Sproles Smith of Lafayette. Thomason, J Crawford.
Williams, J Jefferson Walker of Mc President.

In the affirmative 44.
In the negative 25
Not voting 22
91

So the ordinance was adopted.

The Ordinance defining the State indebtedness was then taken up.

On motion of Mr Smith of Lafayette the further consideration of the same was postponed until 12 o'clock On Wednesday next.

Mr Hughes chairman of special Committee made the following report

Mr President. The special committee to whom was referred the resolutions in reference to the pay of clerks in the department of State have had the same under consideration and recommend their rejection.

Mr Lucas asked and obtained leave to record his vote in favor of the Constitution

Mr Howe of White introduced the following Ordinance

Be it ordained by the People of the State of Arkansas in Convention assembled!

That the Secretary of this Convention be and is hereby authorized and directed to distribute the printed copies of the Constitution (except those to be distributed by the State Board of Supervisors) to the Delegates of this Convention according to the voting Population of the several Counties in this State and that a sufficient sum of Money is hereby appropriated to pay the necessary expenses in making such distribution.

The Ordinance was read the first second and third times and then adopted

Mr Scott of Pope, Chairman of the Committee on the Journal made the following report-

Mr President,

Your Committee appointed to compare and revise the Journal, beg leave to report that they have proceeded as rapidly with their duties as possible; devoting all their time to such work when not necessarily otherwise engaged. The Journal is of an unusual length, the proceedings to the twenty eighth of August filling a large folio record of six hundred and forty pages, embracing each act, motion, resolution and vote of every member of the Convention; each report of all the standing and special Committees; every amendment made to each article or Ordinance, and then transcribed, as amended and adopted.

It will necessarily take the Committee some days yet to finish up their labors, and should the Convention desire the Journal completed Your Committee respectfully desires the order of the Convention

to continue in session so long after adjournment as may be absolutely necessary to finish up their work.

The Secretary employed Mrs Sallie A Reid to transcribe the Journal and the Committee take pleasure in saying that she has discharged her duties in an elegant and workmanlike manner. In comparing her services at the allowance made by the Convention we find her pay will be some one hundred and fifty or two hundred dollars less than that of the assistant Secretaries; we are fully of the opinion that as more arduous and constant labor has been performed by any employe of this Convention, and we think no discrimination should be made as to salary. We therefore recommend that she be paid the same salary as the assistant Secretaries.

Respectfully submitted.
John R. Homer Scott.
Chairman
Ransom Gulley
John M Parrott.

Mr Eakin of Humphreys offered in connection with the above the following

(Resolved that the Committee to compare and revise the Journals be authorized to remain in session and receive pay as members of this Convention after adjournment until their labors be completed; and that Mrs Sallie A. Reid for transcribing the journals receive instead twenty cents per hundred words the same pay with the assistant Secretaries.

The question was taken and the report of the Committee and resolutions were adopted.

Mr. Eakin moved that the Secretary be authorized to pay double rate for the

Constitution on parchment.

Which on being put was not agreed to.

Mr Howell of Johnson introduced the following

"Whereas, It is deemed expedient that the journals of this Convention shall be published and distributed throughout the State, and

Whereas, It would be premature to make any definite provision for the same until the final adjournment of this Convention; therefore,

Be it ordained by the Constitutional Convention of the State of Arkansas:

That it shall be the duty of the General Assembly of the State to provide for the publication of so many copies of the journals of this Convention as may be deemed expedient."

The Convention then on motion of Mr Fishback took a recess until to-morrow morning at 8 o'clock.

Granderson D Royston
President Con Convention

Thomas W. Newton
Secretary

Sunday
8 o'clock A m
September 8th 1874.

The Convention met pursuant to adjournment

The roll was called and a quorum of the members answered to their names.

Prayer by the Chaplain

The Journal of the proceeding day was then read and approved

Mr Fishback moved that the Ordinance on Amnesty be taken up.

Mr Frierson of Cross made the following motion

"I move that this Convention do now adjourn, and stand adjourned until the 25th day of October 1874. at twelve o'clock Meridian, in accordance with the resolution passed on Yesterday."

Upon which the "ayes and noes" were ordered

The roll was called and the following named members voted in the affirmative

Anderson of Lee. Anderson of Craighead
Butler of Pulaski Berry. Bunn.
Blackwell. Bryant of Baxter.
Bryant of White Cunningham. Crowley
Dowd. Doswell. Eagle. Frierson
Garland. Gulley. Goodwin. Hamilton
Hawkins. Kelley. Lucas. Lester
Murphy. Miller. Niven. Parrott.
Nelson Rutherford Smoot. Stanley

Smith of Saline. Williams of Sharp. Williams
of Union) Watt & Mr President

Those voting in the negative were

Barnes. Brown. Chism Eakin.
Fishback. Coree Hughes. Gillgore.
Kinsworthy Lindsey Lake. Mansfield
O'Sullavan. Pumkney. Perkins. Pulliam.
Polk. Thomason, J. Crawford, Williams
of Jefferson) & Williams of Little River.

In the affirmative 35
In the negative 2's
Not voting 36.
91

So the motion to adjourn prevailed

Mr Thomason of Crawford sent to the Secretary's desk the following explanation of his vote.

Mr President

Because an adjournment now cuts off action on the amnesty proposition of the delegate from Sebastian, Mr Fishback, I vote no!

The President then announced that the Convention stand adjourned until 12 o'clock noon, the 25th day of October A D 1874.

Thomas M. Newton
Secretary.

Convention to Revise
Constitution and Laws

I hereby certify that the Committee appointed to examine and compare the journal as transcribed from the original minutes, have carefully examined 640 pages in Volume one. and the annexed and foregoing 270. pages of this volume (2) and find the same to be a true and perfect record of all the proceedings of the Constitutional Convention as transcribed from the daily proceedings

Sept 15th 1874.

Jno. R. Homer Scott
Chairman

Proceedings.

of the Constitutional Convention of the people of the State of Arkansas at the adjourned Session, at the Capitol.

October 20th A.D. 1874.

Tuesday. 12 o'clock m.
October 20th A.D. 1874.

The hour having arrived for the meeting of the Convention in pursuance to the adjournment: the President called the members present to order.

The roll was called by the Secretary and the following named members answered to their names.

Barnes: Blackwell: Perkins: Eakin: Hughes: Rector: Reinhardt: Scott: Mr President:

Present nine members.

The following members failed to answer to their names.

Anderson of Lee: Anderson of Craighead: Bunch Butler of Independence: Butler of Pulaski: Berry: Bailey: Bunn: Brown: Bates: Brown: Cypert of Baxter: Cypert of White: Copeland: Cunningham: Crowley: Custer: Carroll: Cabler: Carter: Cagle: Chunk: Downs: Dunaway: Doswell: Dodson: Eagle: Flanagin: Frierson: Fishbaer: Gibson: Garland: Gulley: Goodwin: House: Hampton: Harrison Horner: Hawkins: Hanna: Howell, Johnson: Jones: Joyner: Killgore: Kelly: Kinsworthy: Leiper: Lucas: Lester: Lindsey: Lake: Mosley: Mansfield: Murphy: Miller: Niven: O'Sullivan: Patterson: Pantney: Pierce: Parrott: Pulliam: Polk: Rogers: Ross: Rutherford: Smoote: Stanley: Smith of Lafayette: Smith of Saline: Sorrels: Thomason of Crawford: Thomason of Washington: Thompson: Williams of Jefferson: Williams of Little River: Williams of Sharp: Williams of Union: White: Walker: Witt:

Absent 82 members. Not a quorum present.

Here Mr Dunaway and Mr Hanna appeared in their seats and answered to their names. Mr Goodwin also appeared and answered to his name.

On motion of Mr Hughes to give time for members to arrive the members present adjourned until to morrow evening at 4 o'clock.

Thomas H. Newton
Secretary

Granderson D Blue
President

Wednesday
4 o'Clock P. M.
October 21st A.D. 1874.

The members present met pursuant to adjournment, and the roll was called and the following named members answered to their names.

Anderson of Craighead: Bunn: Barnes: Blackwell: Copeland: Dunaway: Dowell: Eakin: Gibson: Goodwin: Howe: Hughes: Hanna: Parrott: Rector: Rutherford: Reinhardt: Scott: Thompson: Mr President:

Present twenty members.

The following named members failed to answer to their names

Anderson of Lee: Bunch: Butler of Independence: Butler of Pulaski: Berry: Bailey: Brown: Bates: Brown Cypert of Baxter: Cypert of White: Cunningham: Crowley Custer: Carroll: Cabler: Carter: Cagle: Chism:

Downs: Dodson: Eagle: Flanagin: Garrison: Hutchcock: Garland: Gulley: Hampton: Harrison: Hornor: ~~Houghton~~ Hawkins: Howell: Johnson: Jones: Joyner: Kilgore: Kelley: Kinsworthy: Leiper: Lucas: Lester: Lindsey: Lake: Mosley: Mansfield: Murphy: Miller: Niven: O'Sullivan: Patterson: Pantney: Pierce: Perkins: Pullium: Polk: Rogers: Ross: Smoote: Stanley: Smith of Lafayette: Smith of Saline: Sorrels: Thomason of Crawford: Thomason of Washington: Williams of Jefferson: Williams of Little River: Williams of Sharp: Williams of Union: Wheeler: Walker Watt:

Absent Seventy one members, Not a quorum present,

On motion of Mr Bunn the Members present adjourned over until tomorrow morning at 11 Oclock.

Greenbury B Rogers
President

Thomas W. Newton.
Secretary

Thursday.
11 Oclock A.M.
October 22nd A.D. 1874.

The hour having arrived the President called the Members present to order and the following answered to their names.

Anderson of Lee: Anderson of Craighead: Bunn: Blackwell: Copeland: Dunaway: Doswell: Gibson: Goodwin: House: Hornor: Hughes: Hanna: Parrott: Ross: Rutherford: Reinhardt: White: Mr President;

Present nineteen members

The following named Members failed to answer to their names

Bynch: Butler of Independence: Butler of Palaski
Berry: Bailey: Barnes: Brown: Bates: Bowen: Bryant
of Baxter: Bryant of White: Cunningham: Crowley:
Custer: Carroll: Cabler: Carter: Cagle: Chism:
Downs: Dodson: Eakin: Eagle: Flanagin: Emerson:
Fishback: Garland: Gulley: Hampton: Harrison:
Hawkins: Howell: Johnson: Jones: Joyner: Killgore:
Kelley: Kinsworthy: Leper: Lucas: Lisbon: Lindsey:
Lake: Mosley: Mansfield: Murphy: Miller: Niven:
O'Sullivan: Patterson: Pantney: Pierce: Perkins: Pullium
Polk: Rogers: Rector: Smoote: Stanley: Scott: South
of Lafayette: Smith of Saline: Sorrels: Thomason of
Crawford: Thomas of Washington: Thompson:
Williams of Jefferson: Williams of Little River:
Williams of Sharp: Williams of Union: ~~Wheate~~:
Walker: Witt:

Absent Seventy two members. Not being a quorum present the President directed the Sergeant at arms to bring in the Members who were known to be in the City.

The President then ordered the roll called again and the following named members answered to their names.

Anderson of Lee: Anderson of Craighead: Bunn:
Barnes: Blackwell: Copeland: Dunaway: Doswell:
Eakin: ~~Gibson~~: Gordwin: Hovas: Hornor: Hughes:
Hanna: O'Sullivan: Parrott: Ross: Rector: Rutherford
Reinhardt: Scott: Thompson: White: The President:

Present Twenty five members. And the President declared a quorum present under the resolution of adjournment passed by the Convention on the fifth day of September last.

Messrs Anderson of Craighead, Gibson, and Thompson asked leave of absence, which was granted.

On motion of Mr Scott the Convention

then adjourned until tomorrow evening at 4 o'clock

Thomas H. Newton
Secretary

Granderson D. Compton
President

Friday.
4 O'clock P. M.
October 23d A.D. 1874.

The Convention met pursuant to adjournment, and was called to order by the President.

The Secretary called the roll and the following named members answered to their names.

Anderson of Lee: Anderson of Craighead: Barnes: Blackwell: Dunaway: Dowell: Eakin: Goodwin: House: Horner: Hyatt: O'Sullivan: Parrott: Ross: Rector: Rutherford: Reinhardt: Scott: White: Mr President:

Twenty members present:

Those failing to answer to their names were:

Bunch: Butler of Independence: Butler of Pulaski: Berry: Bailey: Bunn: Brown: Bates: Bowen: Bryant of Baxter: Bryant of White: Copeland: Cunningham: Crowley: Custer: Carroll: Cabler: Carter: Cagle: Chism: Downs: Deshazo: Eagle: Flanagin: Grierson: Dishbacr: Gibson: Garland: Gulley: Hampton: Harrison: Hughes: Hawkins: Howell: Johnson: Jones: Joyner: Killgore: Kelley: Kinsworthy: Leiper: Lucas: Lester: Lindsey: Lake: Mosley: Mansfield: Murphy: Miller: Niven: Patterson: Pentney: Pierce: Perkins: Pulliam: Polk: Rogers: Smoote: Stanley: Smith

of Lafayette: Smith of Saline: Sorrels: Thomason of Crawford: Thomason of Washington: Thompson: Williams of Jefferson: Williams of Little River: Williams of Sharp: Williams of Union: Walker: Witt:

Absent Seventy one members:

Mr Bunn here appeared in his seat and answered to his name.

The decease of ex-Gov. Harris Flanagin one of the delegates of the Convention was announced by Mr Eakin, who moved that a committee of five (5) to draft resolutions expressive of the sense of this Convention.

Mr Rector moved to amend by increasing the committee to eleven (11). The amendment was accepted by Mr Eakin. And the motion was then adopted.

The Committee appointed by the President consisted of Messrs Eakin, Rector, Doswell, Honor, Hoyse, Anderson of Lee, Scott, Hughes, Barnes, Ross, and Bunn.

The Convention then took a recess of ten minutes upon the suggestion of Mr Eakin to enable the Committee to bring in their report. And upon reassembling Mr Eakin, Chairman of the Committee reported the following resolutions.

Mr President and Gentlemen Delegates to the Constitutional Convention of the State of Arkansas:

The sad intelligence has reached us that our honored and esteemed fellow-member of this Convention, the Hon. Harris Flanagin, departed this life at his residence in Clark County, this morning at 7 o'clock. It is no ordinary expression of conventional sorrow which we feel upon this announcement. It is deep and heartfelt, and will be shared as such by all those absent members who learned so well to appreciate and respect the deceased during the arduous labors of this Convention last summer.

Gov. Flanagin was of Irish descent, although a native of New Jersey. Early in life he sought Arkansas as a home and the field of his

life-long labors, which have entered so much to the benefit of his adopted State.

In the year 1838 he came to Pine Bluff seeking a location, and, from that place, walked to Little Rock. Here his attention was directed to the South, and he proceeded to Clark County, where he entered upon the practice of law, and has ever since resided. He soon rose to eminence in his profession, and commanded the confidence of his fellow citizens, which, for the period of nearly two score years, was never forfeited nor even abated.

He became known not only as a leading lawyer in the State, but as a citizen of extensive influence — foremost in every movement for the good of the people.

During the period before the war, he was called by his fellow citizens at different times to represent the County of Clark, in the Senate and House of Representatives, and several times served as a special Judge of the Supreme Court of the State.

When the unhappy war between the States became flagrant, he cast his fortunes with the people of the South, and entered the service with that zeal, energy and cool firmness of purpose, which characterized all the acts of his life. He was made Colonel of the Second regiment of Arkansas Cavalry, and was serving as such when he was called by the voice of the people of his State to the office of Governor, which he filled till the close of the war. In the evidence of the love and confidence of his soldiers, it may be stated that he received almost the unanimous vote of his brigade, then stationed at Salvisa, Ky.

After the close of the war Gov. Flanagin retired peaceably to his family, and the practice of his profession in the town of Arkadelphia. During the troubles which followed upon reconstruction he sought no public place, but his influence in society was largely exerted in the interests of peace and good order.

He was elected a member of this Convention, and here it was that we learned to know and esteem the man, and honor him for the sterling qualities of his mind and heart. His labors as chairman

of the judiciary Committee were most assiduous and untiring. He was constantly upon duty. To his clear judgment, prudent foresight, and watchful care, was owing in a very large degree, the perfection of that Conservative Constitution which has just been ratified by an overwhelming vote of the people of all parties and races, and which has defied the criticism of the ablest jurists amongst its enemies. He lived to know that it was accepted by the vote of a large majority of the people, and that this, his crowning work, was done. Thus his life of usefulness has been full and rounded up, and he has sunk into his grave, bearing with him the grateful thanks of half a million of his countrymen. Therefore, be it

Resolved, That in the death of Harris Flanagin the State of Arkansas has lost one of her ablest, and most faithful servants, a man of high intellectual powers, of incorruptible integrity, of unblemished reputation and high social qualities, endearing him to the hearts of all who knew him.

Resolved, That, as members of this Convention, we recognize in Harris Flanagin one of the ablest, and most industrious of our members; and that the Constitution of the State bears the impress of his work and thought in a very large degree.

Resolved, That we deeply deplore his loss, as a national bereavement, and heartily sympathize with his family in their affliction, while we regret that the Public Service does not allow us to attend his funeral in a body.

Resolved, That in token of our sorrow all the Members of this Convention be requested to wear the usual badge of mourning for the space of thirty days, that the flag upon the State House be lowered to half-mast for the space of twenty-four hours, and that these resolutions be spread upon our journals and a copy transmitted to his family.

The foregoing resolutions are respectfully submitted by the committee.

John R. Eakin — Henry G. Bunn
Franklin Dowell — John L. Kinnor.
Henry M. Rector. Joseph H. Hause

J. Monroe Anderson — John R. Homer Scott.
Simon P. Hughes — Jesse A. Ross
Sidney W. Barnes.

On motion of Mr O'Sullivan, the resolutions were adopted.

On motion of Mr Ross the Convention then adjourned until to morrow morning at 8 o'clock.

Thomas W. Haviland
Secretary.

Green Adams D. Boyd
President.

Saturday.
8. o'clock A. M.
October 24th 1874.

The Convention met pursuant to adjournment. The Roll was called and the following named members answered to their names

Anderson of Lee: Anderson of Craighead: Bunn: Barnes: Blackwell: Dunaway: Doswell: Eakin: Goodwin: House: Homer: Hanna: Parrott: Ross: Rector: Rutherford: Reinhardt: Scott: Mr President:

Nineteen members present.

The following named members failed to answer to their names.

Branch: Butler of Independence: Butler of Pulaski: Berry: Bailey: Brown: Bates: Bowen: Bryant of Baxter: Bryant of White: Copeland: Cunningham: Crowley: Custer: Carroll: Cable: Carter: Cagle: Chism: Downs: Dodson: Eagle: Flanagin: Garrison:

Dishbacks: Gibson: Garland: Gulley: Hampton: Harrison: Hughes: Hawkins: Howell: Johnson Jones: Joyner: Killgore: Kelley: Kinsworthy: Leiper: Lucas: Lester: Lindsey: Lake: Mosley: Mansfield: Murphy: Miller: Niven: O'Sullivan: Patterson: Puntney: Pierce: Perkins: Pullcam: Polk: Rogers: Smoote, Stanley Smith of Lafayette: Smith of Saline: Sorrels: Thomason of Crawford: Thomason of Washington: Thompson, Williams of Jefferson: Williams of Little River: Williams of Sharp: Williams of Union: White: Walker: Witt.

About Seventy Two members.

There not being a Quorum Present, On motion of Mr Hornor the Convention took a recess until 4 Oclock P. M.

After Recess.

The members present met at 4 Oclock P. M. and the roll was called and the following named members answered to their names.

Barnes: Blackwell: Eakin: Hughes: Hanna: Parrott Ross: Scott: Mr President.

Nine Members Present.

The following named members failed to answer to their names.

Anderson of Lee: Anderson of Craighead: Bunch: Butler of Independence: Butler of Pulaski: Berry: Bailey: Bunn: Brown: Bates: Bowen: Bryant of Baxter: Bryant of White: Copeland: Cunningham: Crowley: Cluster: Carroll: Cabler: Carter: Cagle: Chism: Downs: Dunaway: Doswell: Dodson: Eagle: Frierson: Dishbacks: Gibson: Garland: Gulley: Goodwin: House: Hampton: Harrison: Hornor: Hawkins: Howell: Johnson: Jones: Joyner: Killgore: Kelley: Kinsworthy: Leiper: Lucas: Lester: Lindsey: Lake: Mosley: Mansfield: Murphy: Miller: Niven: O'Sullivan: Patterson: Puntney: Pierce: Perkins: Pullcam: Polk: Rogers: Rector: Rutherford: Reinhardt: Smoote: Stanley: Smith of Lafayette: Smith of Saline: Sorrels: Thomason of Crawford: Thomason of Washington: Thompson: Williams of

Jefferson: Williams of Little River: Williams of Sharp: Williams of Union: White: Walker: Witt:

Eighty members absent.

The President announced that there was not a quorum present, and on Motion of Mr Eakin the Convention adjourned until Monday evening at 4 o'clock P. M.

Thomas H. Newton
Secretary

Grandison D Newton
President

Monday.
4 o'clock P. M.
October 26th A.D 1874

The members present met pursuant to adjournment and the following answered to their names at the call of the roll by the Secretary.

Bunn: Barnes: Blackwell: Eakin: Hughes: Hanna: Howell: Leiper: O'Sullivan: Parrott: Ross: Rector: Scott: Witt: Mr President:

Present 15 Members:

Those absent and not answering to their names.

Anderson of Lee: Anderson of Craighead: Bunch: Butler of Independence: Butler of Pulaski: Berry: Bailey: Brown: Bates: Bowen: Bryant of Baxter: Bryant of White: Copeland: Cunningham: Crowley: Custer: Carroll: Cable: Carter: Cagle: Chism: Downs: Dunaway: Doswell: Dodson: Eagle: Emerson: Fishback: Gibson: Garland: Gulley: Goodwin: House: Hampton: Harrison: Horner: Hawkins: Johnson: Jones: Joyner: Killgore: Kelley: Knoworthy: Lucas: Lester: Lindsey: Lake: Mack:

Mansfield: Murphy: Miller: Niven: Patterson: Putney: Pierce: Perkins: Pullian: Polk: Rogers: Rutherford: Reinhardt: Smoote: Stanley: Smith of Lafayette: Smith of Saline: Sorrels: Thomason of Crawford: Thomason of Washington: Thompson: Williams of Jefferson: Williams of Little River: Williams of Sharp: Williams of Union: White: Walker:

Absent 75 Members:

President Royston thereupon announced that there was not a Quorum present.

Mr Bunn moved to adjourn until ten oclock to morrow: Mr Hanna moved to amend by saying Eight O'clock to morrow morning which was accepted by Mr Bunn and the Members present adjourned until to morrow morning at 8 O'clock.

Thomas W. Newton
Secretary

Grandison D Royston
President

Tuesday.
8 O'clock A.M.
October 27th A.D. 1874.

The members present met pursuant to adjournment, the roll was called and the following named members answered to their names.

Bunn: Blackwell: Eakin: Hughes: Hanna: Leiper: Parrott: Ross: Scott: Witt: Mr President:

Eleven members present:

The following named members failed to answer to their names

Anderson of Lee: Anderson of Craighead: Bunch: Butler

of Independence: Butler of Pulaski: Berry: Bailey: Barnes: Brown: Bates: Bowen: Bypert of Baxter: Bypert of White: Copeland: Cunningham: Crowley: Custer: Carroll: Cabler: Carter: Cagle: Chism: Downs: Dunaway: Doswell: Dodson: Eagle: ~~Dickerson~~: Fishback: Gibson: Garland: Gulley: Goodwin: House: Hampton: Harrison: Hornor: Hawkins: Howell: Johnson: Jones: Joyner: Killgore: Kelley: Kinsworthy: Lucas: Lester: Lindsey: Lake: Mosley: Mansfield: Murphy: Miller: Niven: O'Sullivan: Patterson: Pruntney: Pierce: Perkins: Pulliam: Polk: Rogers: Rector: Rutherford: Reinhardt: Smoot: Stanley: Smith of Lafayette: Smith of Saline: Sorrels: Thomason of Crawford: Thomason of Washington: Thompson: Williams of Jefferson: Williams of Little River: Williams of Sharp: Williams of Union: White: Walker:

Absent Seventy nine.

The President then announced that there was not a quorum present. And on motion of Mr Eakin the Convention took a recess until 4 Oclock P. M.

After Recess.

At 4 Oclock P.M. the President called the members present to order and the roll was called and the following named members answered to their names.

Butler of Independence: Bunn: Barnes: Blackwell: Eakin: Eagle: Hughes: Hanna: Howell: Kelly: Leiper: Ross: Thompson: Witt: Mr President;

Fifteen members answered to their names.

Those members who failed to answer to their names ~~are~~ as follows.

Anderson of Lee: Anderson of Craighead: Bench: Butler of Pulaski: Berry: Bailey: Brown: Bates: Bowen: Bypert of Baxter: Bypert of White: Copeland: Cunningham: Crowley: Custer: Carroll: Cabler: Carter: Cagle: Chism: Downs: Dunaway: Doswell: Dodson: Dickerson: Fishback: Gibson: Garland: Gulley: Goodwin: House: Hampton: Harrison: Hornor: Hawkins: Johnson: Jones: Joyner: Killgore: Kinsworthy: Lucas: Lester: Lindsey: Lake: Mosley: Mansfield:

Murphy: Miller: Niven: O'Sullivan: Patterson: Putney: Pierce: Perkins: Parrott: Pullcan: Pelx: Rogers: Rector: Rutherford: Reinhardt: Lynch: Stanley: Scott: Smith of Lafayette: Smith of Saline: Sorrels: Thomason of Crawford: Thomason of Washington: Williams of Jefferson: Williams of Little River: Williams of Sharp: Williams of Union: White: Walker:

Seventy Five members absent.

President Royston thereupon announced that there was not a quorum present.

Mr Eakin moved to adjourn until 4 o'clock p.m. to morrow evening. Mr Leiper moved to amend by inserting the hour of 10 o'clock a.m. which was accepted, and thereupon Mr Witt moved further to amend by inserting half past Eight O'clock to morrow morning, which amendment was also accepted by Mr Eakin and the Convention adjourned until half past Eight o'clock tomorrow morning.

Thomas H. Hayton. Secretary

Granderson D Royston President

Wednesday
8½ o'clock A.M.
October 28th A.D. 1874

The members present met pursuant to adjournment and the Secretary called the roll and the following named members answered to their names.

Butler of Independence: Bunn: Barnes: Blackwell: Cagle: Eakin: Howell: Kelly: Leiper: Rose: Thompson: Mr President:

Twelve present.

The following named members failed to answer to their names

Anderson of Lee; Anderson of Craighead; Bunch; Butler of Pulaski; Berry; Bailey; Brown; Bates; Bowen; Bryant of Baxter; Bryant of White; Copeland; Cummingham; Crowley; Custer; Carroll; Cabler; Carter; Chism; Downs; Dunaway; Doswell; Dodson; Eagle; Garrison; Gathcart; Gibson; Garland; Gilley; Goodwin; House; Hampton; Harrison; Hornor; Hughes; Hawkins; Hanna; Johnson; Jones; Joyner; Killgore; Knoworthy; Lucas; Lester; Lindsey Lake; Mosley; Mansfield; Murphy; Miller; Niven; O'Sullivan; Patterson; Pinney; Pierce; Perkins; Parrott; Pulliam; Polk; Rogers; Rector; Rutherford, Reinhardt; Smoote; Stanley; Scott; Smith of Lafayette; Smith of Saline; Sorrels; Thomason of Crawford; Thomason of Washington; Williams of Jefferson; Williams of Little River; Williams of Sharp; Williams of Union; White; Walker; Witt;

Seventy Eight absent;

The President then announced that there was not a quorum present.

On motion of Mr Eakin the members present took a recess until 4 oclock p.m.

After Recess.

The members present met at 4 oclock p.m. And by order of the President the roll was called and the following named members answered to their names.

Butler of Independence; Butler of Pulaski; Brown; Barnes; Blackwell; Cagle; Eakin; Howell; Leiper; O'Sullivan; Thompson; Mr President

Present Twelve,

Those failing to answer to their names are as follows:

Anderson of Lee; Anderson of Craighead; Bunch; Bailey; Brown; Bates; Bowen; Bryant of Baxter; Bryant of White; Copeland; Cummingham; Crowley; Custer;

Carroll; Cobler; Carter; Chism; Downs; Dunaway; Doswell; Dodson; Eagle; Grierson; Fishback; Gibson; Garland; Gulley; Goodwin; Howse; Hampton; Harris; Hornor; Hughes; Hawkins; Hanna; Johnson; Jones; Joyner; Kilgore; Kelly; Kinsworthy; Lucas; Lester; Lindsey; Lake; Mosley; Mansfield; Murphy; Miller; Niven; Patterson; Pinkney; Pierce; Perkins; Parrott; Pulliam; Polk; Rogers; Ross; Rector; Rutherford; Reinhardt; Smoot; Stanley; Scott; Smith of Lafayette; Smith of Saline; Sorrels; Thomason of Crawford; Thomason of Washington; Williams of Jefferson; Williams of Little River; Williams of Sharp; Williams of Union; White; Walker; Witt;

Seventy Eight absent.

Third not being a quorum present On motion of Mr Eakin the Convention adjourned until to morrow evening at 4 Oclock.

Thomas W. Newton
Secretary

Granderson D Royston
President.

Thursday.
4 Oclock P.M.
October 29th A.D 1874.

The members of the Convention present met pursuant to adjournment and by order of the President the Secretary called the Roll and the following named Members answered to their names.

Butler of Independence; Butler of Pulaski; Bunn; Barnes; Blackwell; Cagle; Eakin; Howell; Leiper; O'Sullivan; Ross; Reinhardt; Scott; Mr. President.

Fourteen present.

The following named Members failed to answer

to their names.

Anderson of Lee; Anderson of Craighead; Branch; Berry; Bailey; Brown; Bates; Bowen; Bypert of Baxter; Bypert of White; Copeland; Cunningham; Crowley; Custer; Carroll; Cabler; Carter; Colvin; Downs; Dunaway; Doswell; Dodson; Eagle; Harrison; Hubbard; Gibson; Garland; Gulley; Goodwin; House; Hampton; Harrison; Honior; Hughes; Hawkins; Hanna; Johnson; Jones; Joyner; Killgore; Kelly; Knisworthy; Lucas; Lester; Lindsey; Lake; Mosley; Mansfield; Murphy; Miller; Niven; Patterson; Pruytney; Pierce; Perkins; Parrott; Pulliam; Polk; Rogers; Rector; Rutherford; Reinhardt; Sneed; Stanley; Smith of Lafayette; Smith of Saline; Sorrels; Thompson of Crawford; Thompson of Washington; Williams of Jefferson; Williams of Little River; Williams of Sharp; Wilbanks of Union; White; Walker; Witt;.

Absent Seventy Six.

The President announced that there was not a quorum present and upon motion of Bunn the Convention adjourned until to morrow evening at 4 Oclock.

Thomas W. Newton
Secretary.

Grandison D Royston
President.

Friday
4 Oclock P. M.
October 30th A D 1874.

The members of the Convention present met pursuant to adjournment.

The Roll was called and the following named members answered to their names.

Butler of Independence; Bunn; Barnes; Blackwell; Cagle; Eakin; Howell; Leiper; Reinhardt; Scott;

Mr President.

Present Eleven.

The following named members failed to answer to their names.

Anderson of Lee; Anderson of Craighead; Bench; Butler of Pulaski; Berry; Bailey; Brown; Bates; Bowen; Bynt of Baxter; Bynt of White; Copeland; Cunningham; Crowley; Custer; Carroll; Cable; Carter; Chism; Downs; Dunaway; Doswell; Dodson; Eagle; Garrison; Gathbaer; Gibson; Garland; Gulley; Gordwin; House; Hampton; Harrison; Honor Hughes; Hawkins; Hanna; Johnson; Jones; Joyner; Hillgore; Kelly; Kinsworthy; Lucas; Lester; Lindsey; Lake; Mosley; Mansfield; Murphy; Miller; Niven; O'Sullivan; Patterson; Pentney; Pierce; Perkins; Parrott; Pulliam; Polk; Rogers; Ross; Rector; Rutherford; Sayoto; Stanley; Smith of Lafayette; Smith of Saline; Sorrels; Thomason of Crawford; Thomason of Washington; Thompson; Williams of Jefferson Williams of Little River; Williams of Sharp; Williams of Union; White; Walker; Witt;

Absent Seventy nine,

Thereupon the President announced that there was not a quorum present. And on motion of Mr Scott the Convention adjourned until to morrow morning at half past Eight Oclock.

Thomas W. Newton
Secretary.

Granderson D Norton
President

Saturday
8½ Oclock A.M.
October 31st A.D 1874.

The members of the Convention present met pursuant to adjournment, and were called to order by the President who laid before them the following Communication from the State Board of Election Supervisors.

Office State Board Election
Supervisors, Little Rock, Oct 31, 1874.

Sir:

The returns having been received from all the Counties showing the result of the election held on the 13th inst. for the ratification or rejection of the Constitution lately framed for the State of Arkansas, We have counted the said votes, and found that the said Constitution was ratified by a majority of 53,890, and we have issued and published this day the result of said election in two of the leading papers published in the City of Little Rock, as prescribed by the Schedule to said Constitution

Very truly,
W. M. Rose.
Gordon N. Peay
Dudley E. Jones
State Board Election
Supervisors.

Grandison D. Royston,
President Convention
City

Mr Leiper moved that the Communication be received and spread at large upon the Journals of the Convention.

Which motion prevailed.

Mr Butler of Independence said, That having received the Communication from the State Board of Supervisors of Election, announcing officially to this Convention, that the Constitution had been ratified by the Electors of the State at the Election held on the 13th day of October 1874, it was wholly unnecessary for the Convention to continue longer in Session the duties for which we were elected having been discharged he moved that the Convention adjourn Sine die.

Whereupon. President G. D. Royston

before putting the question, thanked the Convention for the vote of thanks tendered him at a prior day, and stated that it had been his utmost endeavor throughout all the deliberations of this body as its presiding officer, to discharge his duties faithfully and impartially; and now the Convention having accomplished all the purposes for which it was convened. He put the motion of Mr Butler of Independence, to adjourn Sine die.

Which motion was adopted.

President Royston then announced that this Convention stood adjourned without day.

Thomas W. Newton
Secretary.

Grandison D Royston
President